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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(Through video-conferencing)

1. CRM-M No.9408 of 2020
Date of Decision: 27.07.2021

JASHANPREET SINGH @ SABHI MAHAL AND ORS
.....Petitioners

Vs
STATE OF PUNJAB AND ANOTHERRespondents

2. CRM-M No.9664 of 2021

JASHANPREET SINGH @ SABHI MAHALPetitioner

Vs
STATE OF PUNJAB AND ANRRespondents

3. CRM-M No.12171 of 2021

PAWANDEEP SINGHPetitioner

Vs
STATE OF PUNJABRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.K. Chaudhary, Advocate
for the petitioner(s) in CRM-M Nos.9408 of 2020 and
CRM-M No.9664 of 2021.

None for petitioner in CRM-M No.12171 of 2021.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Vide this common order, CRM-M No.9408 of 2020 and
9664 & 12171 of 2021 (O&M) are being decided. Since all the
cases have arisen out of same FIR, therefore, facts are being
culled out from CRM-M No.9408 of 2020.

In CRM-M No.9408 of 2020, petitioners seek quashing of FIR No.0066 dated 22.08.2019 registered under Section 324, 148, 149 IPC (Section 326 IPC added later on) at Police Station Bhaini Mian Khan, District Gurdaspur along with all the subsequent proceedings arising therefrom, on the basis of compromise. In CRM-M No.9664 and 12171 of 2021, petitioner(s) seek grant of anticipatory bail in the same very FIR.

In CRM-M No.9408 of 2020, following order was passed by the Co-ordinate Bench of this Court on 03.03.2020:-

“Notice of motion for 20.04.2020

Mr. S.K.Arya, Advocate, appears on his own and has filed memorandum of appearance on behalf of respondent No.2 in Court today. The same is taken on record. Office to tag the same at the appropriate place. Vakalatnama be filed by the next date of hearing.

Petitioners are directed to deposit ₹20,000/- as a precondition for recording the statements, out of which ₹10,000/- shall be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh and ₹10,000/- with the Welfare Centre for Persons with Speech and Hearing Impairment, Chandan Nagar, Sector 15, Phase-2, Behind ITI, Gurugram, Bank Account No.000434003000357, the Gurgaon Central Co-operative Bank Ltd. or Bank, Account No.1245010000518, United Bank of India. They can also opt to deposit the aforesaid amount of ₹10,000/- with the PGIMER online through its website “www.pgimer.edu.in”.

Thereafter, parties shall appear before the concerned trial Court/Illaq Magistrate after having the receipt of amount of ₹20,000/- as above, who shall record their statements and send a report to this Court as to whether the compromise is genuine, without any pressure or undue influence and also whether any accused was declared as proclaimed offender, till the next date of hearing.

Original receipts qua deposit of above costs be produced in this Court on the next date of hearing.

To be shown in the urgent list.

3rd March, 2020
shabha

[RAMENDRA JAIN]
JUDGE”

The aforesaid order has not been complied with by the petitioners till date as they have not deposited the amount of Rs.20,000/-.

Thereafter on 08.07.2021, following order was passed by this Court:-

“The case has been taken up for hearing through video conferencing.

Order dated 03.03.2020 passed in CRM-M No.9408 of 2020 has not been complied with despite ample opportunity and sufficient time. On the basis of compromise, petitioner got notice of motion issued on 17.03.2021 along with stay of arrest in CRM-M No.12171 of 2021.

In CRM-M No.9664 of 2021, notice of motion was issued on the basis of compromise and interim order of stay of arrest was also passed.

In this manner, the petitioner by not adhering to the conditions of order dated 03.03.2020 passed in CRM-M No.9408 of 2020 got the interim orders in subsequent two petitions.

Before passing appropriate order in all the three petitions, this Court would like to have response from the petitioner(s) in all the three petitions whether they are ready to enhance the amount of Rs.20,000/- as ordered in the order dated 03.03.2020 to some reasonable amount of Rs.50,000/- for depositing the same in different accounts as observed in the said order.

Adjourned to 27.07.2021.

Interim order to continue, till the next date of hearing.

A photocopy of this order be placed on the files of connected cases.”

Today, learned counsel for the petitioners submitted that he has no instructions to make any statement.

It appears that the petitioners have availed the concession of anticipatory bail without there being any real intention to honour the commitment arising out of order dated 03.03.2020 passed in CRM-M No.9408 of 2020.

Faced with the aforesaid situation, this Court is left with no alternative except to dismiss all the three petitions.

Petitions stand dismissed.

(RAJ MOHAN SINGH)
JUDGE

July 27, 2021

Atik

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No