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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3215-2019

Date of Decision: 04.11.2022

BALJIT SINGH AND ANR

..... Petitioners

Versus

STATE OF PUNJAB AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Gurmehar Singh, Investigating Officer.

JAGMOHAN BANSAL, J. (Oral)

Bar is abstaining from work.

The petitioner through instant petition, on the basis of compromise, sought quashing of FIR No.72 dated 27.05.2016 (Annexure P-1) registered at Police Station Nehianwala, District Bathinda, under Sections 420 and 406 read with Section 34 of Indian Penal Code.

This Court vide order dated 24.01.2019 directed the parties to appear before Trial Court/Illaq Magistrate on 27.02.2019 for recording their statements with regard to compromise/settlement. As per report dated 27.02.2019 of Judicial Magistrate 1st Class, Bathinda, neither any party nor their counsel appeared on 27.02.2019 for recording their statements with regard to compromise.

Investigating Officer has brought in the knowledge of this Court that vide order dated 11.12.2020 (Marked 'A') Judicial Magistrate 1st Class, Bathinda, has already accepted cancellation report. The cancellation report was accepted in the presence of the learned State

counsel and complainant. The relevant extracts of order dated 11.12.2020 passed by JMIC, Bathinda read as:

“The present FIR is registered under Section 420, 406 read with Section 34 of IPC. The present cancellation is filed on the ground that both the parties have effected compromise and complainant does not want to take action against accused Section 420, 406 are compoundable offence under Section 320 Cr.P.C. In the view of statement suffered by complainant and the facts and circumstances of the case, no useful purpose will be served by further keeping the investigation pending in the present case. Consequently, present cancellation report is accepted. Papers of the cancellation report be separated and be sent to quarter concerned immediately and judicial papers be consigned to the Record room.”

In view of the above development, the present petition has become infructuous. Accordingly, the petition is dismissed as infructuous. The parties are at liberty to move an appropriate application if they feel aggrieved from this order.

(JAGMOHAN BANSAL)
JUDGE

04.11.2022
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>