

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

248

CRM-M-3292-2020
Decided on : 31.03.2022

Rajpal Singh @ Goldy and another

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: None for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

None for respondent No. 2.

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 50 dated 17.03.2018 under Sections 323, 324, 427 and 34 of the Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Hathur, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising on the basis of the compromise.

On 04.03.2022, this Court was pleased to pass the following order:-

“This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 50 dated 17.03.2018 registered under Sections 323, 324, 427 and 34 of the Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Hathur, District Ludhiana Rural

(Annexure P-1) and all subsequent proceedings arising therefrom on the basis of the compromise.

Learned counsel for the petitioners and respondent No. 2 have pointed out that in the present case, there are three accused persons but however, the third accused person namely Gagna S/o Raju Singh has not been heard of for the last several years.

Learned counsel for respondent No. 2 has submitted that he has no objection in case the FIR against all the three accused persons, including the two petitioners and the said Gagna S/o Raju Singh, is quashed.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise within a period of 15 days.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed offender?*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- 3. Whether the accused persons are involved in any other FIR or not?*
- 4. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

Adjourned to 31.03.2022.”

In pursuance of the said order, a report has been submitted by the Judicial Magistrate 1st Class, Jagraon to the Registrar Judicial of this Court to the effect that none of the parties have appeared for recording their statements regarding compromise effected between them.

Even, none has appeared today before this Court also in the present matter.

In view of the same, present petition is dismissed with liberty to the petitioners to file a fresh petition for quashing of the FIR on the basis of compromise in case the compromise is still valid and parties are ready to get their statements recorded.

March 31st, 2022
Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No