

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

CRM-M-12278-2021 (O&M)

Date of decision: 11.11.2022

Gurpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Varinder Singh, Advocate for
Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

None for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed the present petition for quashing of FIR No. 113 dated 25.12.2019, registered under Sections 420, 406 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Begowal, District Kapurthala and all the subsequent proceedings on the basis of compromise between the parties.

Vide order dated 17.03.2021 passed by a Coordinate Bench, the Illaqa Magistrate/trial Court was directed to record the statements of all concerned parties with regard to the genuineness and validity or otherwise of the compromise.

In compliance thereof, the learned Sub-Divisional Judicial Magistrate, Bholath (Kapurthala), has submitted a report vide letter dated

28.04.2021, indicating that the parties had not appeared for recording of their respective statements with regard to the validity of the compromise.

The parties did not opt to appear before the trial Court for the reasons best known to them and thereby flouted the order passed by this Court. It is not open to a party to dictate the terms of appearance before the trial Court, when a specific direction was issued in the order. If the parties wilfully flout the order of this Court, they cannot expect any equitable relief from the Court and they must be made to bear the consequences of their action. After having obtained an order, the parties cannot be allowed to sleep over its compliance.

In view of the above, the present petition stands dismissed.

11.11.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

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