

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 290

CRM-M-12100-2022

Date of decision : 12.10.2022

Kala Singh @ Sandeep Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

On 17.05.2022 this Court had passed the following order: -

“On 23.03.2022, this Court passed the following order :-

“Notice of motion.

Ms. Gunkirat Kaur, AAG, Punjab and Mr. Manjot Singh Tiwana, Advocate accept notice on behalf of respondent No.1 and respondent 2, respectively.

Learned counsel for the petitioners undertakes to supply a complete set of the paper book to learned counsel for the respondents during the course of the day.

Through the present petition filed under Section 482 Cr.P.C. the petitioners seek quashing of FIR No.33 dated 20.03.2021 registered under Sections 354-A, 354-D, 341, 506 and 149 IPC at Police Station Raman, district Bathinda on the strength of a written compromise (Annexure P-2) entered into between the parties.

The petitioners as also respondent No.2 through their counsel are directed to appear before the Illaqa Magistrate/Trial Court on 04.04.2022 to get their statements recorded to the effect that the compromise has actually been arrived at between them. After recording of the statements, the Illaqa Magistrate/Trial Court would furnish to this Court its report along with the recorded statements on or before the adjourned date, clearly opining therein with respect to the veracity of the compromise, if any, between the parties.

The Illaqa Magistrate/Trial Court would also apprise this Court whether all the accused are party to the compromise and whether any of the accused have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

To await the report of the Illaqa Magistrate/Trial Court adjourned to 17.05.2022.”

Learned counsel for the petitioners submits that the parties could not appear before the Trial Court in terms of the afore quoted order and another opportunity to do the needful has been prayed for.

In the interest of justice and subject to deposit of Rs.5000/- by the petitioners as costs with the Poor Patient Welfare Fund, PGI MER, Chandigarh the prayer is allowed and the petitioners and respondent No.2 are granted another opportunity to get their statements recorded in terms of afore quoted order of this Court. Accordingly, they may now appear before the Illaqa Magistrate/Trial Court on 12.07.2022 for getting their statements recorded in terms of order of this Court dated 23.03.2022.

To await the report of the Illaqa Magistrate/Trial Court adjourned to 12.10.2022.”

In pursuance to the afore quoted order neither the awarded costs have been deposited nor the parties appeared before the Illaqa Magistrate/Trial Court to get their statements recorded and this was in spite of the fact that this was the second opportunity which had been granted to them to do the needful.

The case has been called twice but there is also no appearance either on behalf of the petitioners or respondent No.2.

Dismissed.

12.10.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No