

CRM-M-9861-2019

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

CRM-M-9861-2019 (O & M)

Date of decision: 15.11.2022

Gurmeet Singh alias Gopi and another

...Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Saurabh Singh, Advocate for
Mr. L.M.Gulati, Advocate,
for the petitioners.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Ms. Jasneet Mehra, Advocate,
for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed for quashing of FIR No.8 dated 05.02.2018, under Sections 295, 341, 506 IPC and Sections 25/27 of Arms Act, 1959, registered at Police Station Kathu Nangal, District Amritsar and all other consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

Vide order dated 05.03.2019 passed by a Coordinate Bench, trial Court/Illaq Magistrate had been directed to record the statements of the parties with regard to the genuineness and authenticity of the compromise.

However, the parties had failed to comply with the aforesaid order.

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Vide order dated 08.04.2022 passed in CRM-12804-2022, the parties had been again directed to get their statements recorded qua the genuineness of the compromise.

In compliance thereof, learned Judicial Magistrate Ist Class, Amritsar, has submitted a report, vide letter dated 14.11.2022, indicating that the parties had not appeared before him for getting their statements recorded with regard to the genuineness 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 aforesaid orders dated 05.03.2019 and 08.04.2022. 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 the 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.

15.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No