

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

266

CRM-M-14839-2021
Decided on : 05.07.2022

Jaswinder Singh and others

. . . 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 the complainant/respondent No. 2.

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 0002 dated 05.01.2021 under Sections 323, 325, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Shimlapuri, District Police Commissionerate, Ludhiana (Annexure P-1) and all subsequent proceedings arising on the basis of the compromise.

On 05.04.2021, nobody had appeared on behalf of the petitioners and accordingly the matter was adjourned to 20.05.2021. Thereafter, on 08.09.2021, a coordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate on 26.10.2021 to record their statements with regard to the compromise. When the matter was taken up on 01.12.2021, it was noticed that as per the report received from the trial Court, the parties had not appeared for getting their statements recorded and accordingly, another opportunity was granted to the parties to

get their statements recorded on 11.01.2022. On 11.02.2022, a coordinate Bench had noticed that the parties had not appeared even in pursuance of the order dated 01.12.2021 and still, one last opportunity was granted. On 18.04.2022, it was again informed that the parties had not appeared and again one last opportunity subject to payment of cost of Rs.5,000/- was granted. In pursuance of the order dated 18.04.2022, the report has been submitted by the Judicial Magistrate 1st Class, Ludhiana dated 01.07.2022 that the parties have again not appeared to get their statements recorded. There is nothing to show that even the cost imposed has been paid. Today also, the matter has been called twice but nobody has appeared on behalf of the petitioners.

Keeping in view the abovesaid facts and circumstances, 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 and are also ready to pay the cost of Rs.5,000/- which to be deposited before the Bar Clerks Association, Punjab as had been ordered vide order dated 18.04.2022.

(VIKAS BAHL)
JUDGE

July 5th, 2022
Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No