

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 284

CRM-M-22343-2022

Date of decision : 15.09.2022

Balwinder Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Raman Goklaney, Advocate, for the petitioners.

Ms.Himani Arora, AAG, Punjab.

Mr.Vineet Sachdeva, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.70 dated 21.03.2012 registered under Sections 498-A, 406, 506 and 34 IPC at Police Station City Ferozepur, District Ferozepur on the basis of a written compromise dated 01.04.2022 (Annexure P-2) entered into between the parties.

On 23.05.2022 this Court had passed the following order: -

“Notice of motion.

Ms. Gunkirat Kaur, AAG, Punjab and Mr. Vineet Sachdeva, Advocate accept notice on behalf of respondent No.1 and respondent No.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.70 dated 21.03.2012 registered under Sections 498-A, 406, 506 and 34 IPC at Police Station City, Ferozepur 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 11.07.2022 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 15.09.2022.”

In pursuance to the afore quoted order, report dated 19.07.2022 from the Judicial Magistrate Ist Class, Ferozepur (for short, the Magistrate) has been received as per which respondent No.2 appeared before the Magistrate and stated that since petitioner No.1 was not looking after her and her children, she does not consent to the quashing of the impugned FIR.

In the light of the afore report as also the statement made by respondent No.2 before the Magistrate, learned counsel for the petitioners seeks to withdraw the present petition at this stage.

Dismissed as withdrawn.

15.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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