

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

276

CRM-M-47233-2017 (O&M)

Date of decision: 22.11.2022

SITA RAM

...Petitioner

Versus

UT OF CHANDIGARH AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Rajeev Anand, Additional PP UT Chandigarh.

None for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks quashing of FIR No.399 dated 22.09.2015, under Sections 420 and 120-B IPC, at Police Station Sector-39, Chandigarh, along with all the consequential proceedings arising therefrom, on the basis of compromise dated 12.01.2017 (Annexure P-2) arrived at between the parties.

There is no representation on behalf of the petitioner today. Same was the situation on 23.09.2019.

Vide orders dated 12.12.2017 and 06.05.2019 passed by Coordinate Benches of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to record their statements with regard to the compromise.

In compliance thereof, learned Judicial Magistrate 1st Class, Chandigarh, has submitted a report vide letter dated 22.02.2018, which

indicates that on 01.02.2018, though the complainant appeared in person, yet he did not get his statement recorded and the matter was adjourned. On the adjourned date, though accused appeared in person but requested for an adjournment and accordingly, the matter was adjourned.

At this stage, learned UT counsel, on the instructions from the concerned Investigating Officer, submits that in the present case a cancellation report has been prepared and the prosecution agency is in the process of filing the same before the Court concerned.

Perusal of the record would show that despite availing sufficient opportunities since 12.12.2017, the parties do not bother to appear before the Court below for recording their statements. It appears that, though, the compromise was effected between the parties, yet the same fizzled out. Thus, no further indulgence can be granted to the parties. Above all, there is no representation on behalf of the private parties today.

Dismissed.

22.11.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No