

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 245

CRM-M-24440-2019

Date of decision : 30.05.2022

Nirmal Kumar and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Gunkirat Kaur, AAG, Punjab.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. the petitioners seek quashing FIR No.38 dated 05.05.2018 registered under Sections 354-A, 354-B, 451, 324 and 34 IPC at Police Station Ghanaur, District Patiala on the basis of a compromise dated 14.05.2019 (Annexure P-2) entered into between the parties.

On 27.05.2019 this Court had passed the following order: -

“Prayer in this petition is for quashing of the FIR along with all consequential proceedings arising therefrom on the basis of compromise between the parties.

Notice of motion for 20.09.2019.

At this stage, Mr. J.S. Bhinder, Advocate has put in appearance on behalf of respondent No.2 and accepts the factum of compromise effected between the parties. Power of attorney filed on behalf of respondent No.2 is taken on record.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 22.07.2019.

The Illaqa Magistrate/trial Court is directed to submit a report along with copies of statements of the parties on or before the next date of hearing containing the following information as well:

- (i) Number of persons arrayed as accused in FIR;
- (ii) Whether any accused is proclaimed offender; and,
- (iii) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.”

In pursuance to the afore quoted order a report from the Judicial Magistrate Ist Class, Rajpura has been received as per which the complainant has submitted before the Trial Court that she is not interested to compromise the matter as the panchayat of the village has restrained her from doing so.

For the last two occasions none has appeared on behalf of the petitioners.

In the light of the afore referred report of the Judicial Magistrate Ist Class, Rajpura, no further orders are required to be passed in the instant petition and the same is hereby dismissed. However, dismissal of the instant petition would not be a bar to the petitioners to challenge the FIR in question on its merits, if so advised.

30.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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