

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 258

CRM-M-42788-2020

Date of decision : 28.03.2022

Kulvir Singh @ Happy and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. the petitioners seek quashing of FIR No.164 dated 12.08.2016 registered under Sections 341, 506, 148, 149 IPC (Section 354-A IPC and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 added later on) at Police Station Tanda, District Hoshiarpur on the basis of written compromise.

Case called twice but none appears on behalf of the petitioners.

On 18.12.2020 this Court had passed the following order: -

“This petition filed under Section 482 Cr.P.C. seeks quashing of FIR No.164 dated 12.08.2016 under Sections 341, 506, 148, 149, (354-A of the IPC and Sections 3 & 4 of SC & ST Act added later on), registered at Police Station Tanda, District Hoshiarpur (Annexure P-1), and all subsequent proceedings arising therefrom, on the basis of compromise.

Ld. counsel for the petitioners refers to Compromise Deed (Annexure P-3), and states that the matter has been amicably settled between the parties.

Notice of motion. Mr. B.S. Sewak, Addl. Advocate General, Punjab to accept notice on behalf of respondent No.1/State. A copy of the Paper-book be supplied to him.

In view of the matter, the parties shall appear before the Ld. Trial Court/Illaq Magistrate on 01.02.2021 for getting their statements recorded with regard to the compromise arrived at between them. Ld. trial Court/Illaq Magistrate after ensuring their identity as well as the fact that the statements are being made by them voluntarily and without any pressure, shall record the same and will submit its report well before the next date of hearing. The Magistrate shall also report about the veracity of the compromise apart from informing the names and number of the accused involved and whether any of the accused has been declared proclaimed offender in the case.

List on 23.04.2021.”

As per the report submitted by the Judicial Magistrate Ist Class, Hoshiarpur in pursuance to the afore quoted order respondents No.2 and 3 appeared before the Trial Court/Illaqa Magistrate and stated that the petitioners had not complied with the terms of the compromise.

Dismissed.

28.03.2022

shamsher

[DEEPAK SIBAL]

JUDGE

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