

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

284

CRM-M-42873-2020

Date of decision: 10.08.2022

SAGAR MEHRA

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANR

.....Respondents

(2)

CRM-M-42903-2020

SEEMA RANI

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANR

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None for the petitioner and respondents
in CRM-M-42873-2020.

None for the petitioner and respondents
in CRM-M-42903-2020.

Mr. Karanbir Singh, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No 98 dated 19.06.2020 registered under Sections 323, 324, 341, 506, 148, 149 of the Indian Penal Code, 1860 at Police Station Urban Estate, District Patiala (Annexure P-1) on the basis of compromise dated 23.10.2020 (Annexure P-2).

Vide order dated 18.01.2021, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded as

regards authenticity of the compromise. A report bearing No. 36 dated 05.04.2021 has been received from Additional Chief Judicial Magistrate, Patiala which reads thus :

“It is submitted that on 23.02.2021 parties did not appear in the Court of undersigned and the case was fixed for 17.03.2021 and then to 1.4.2021 for awaiting presence of the parties and summons were also issued to the parties. However, again on both the dates i.e. 17.03.2021 and 1.4.2021 neither the parties have appeared before the undersigned at their own for getting recorded their statements, with regard to authenticity of the compromise, nor the summons have been served upon them.”

It is evident that the case was fixed by the Illaqa Magistrate on 03 different occasions for recording of the statements of the parties, however, they did not turn up on any of the said dates. The matter was also taken up by this Court on 29.03.2022 as well as on 27.05.2022.

None on behalf of the petitioners as well as private respondents had put an appearance on both of the said dates. The Court thus has sufficient reasons to believe that the compromise amongst the parties has not yet been materialized. The present petitions are accordingly dismissed. However, the parties are at liberty to move an appropriate petition(s) on a fresh/renewed cause of action.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 10, 2022

Vishal sharma

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