

CRM-M-37725-2019

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

CRM-M-37725-2019

Date of decision:07.09.2022

Gurjeet Singh and others

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioners.

Ms. Monika Jalota, Sr. DAG, Punjab.

None for respondents No.3 to 5.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for quashing of FIR No.85 dated 12.04.2019 and DDR No.17 dated 13.04.2019, under Sections 323, 308, 506, 148 and 149 IPC, registered at Police Station Sirhind, District Fatehgarh Sahib, on the basis of compromise dated 27.08.2019 (Annexure P1) effected between the parties.

Today, there is no representation on behalf of the petitioners.

Vide order dated 06.09.2019 passed by a Coordinate Bench, the trial Court/Illaq Magistrate had been directed to record the statements of the parties with regard to the genuineness and authenticity of the compromise.

In compliance thereof, learned Addl.Chief Judicial Magistrate, Fatehagarh Sahib, has submitted a report, vide letter dated 23.09.2019, indicating that the parties had not appeared before the Magistrate for

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getting their statements recorded with regard to the genuineness of the compromise.

The parties did not opt to appear before the trial Court for the reasons best known to them and thereby flouted the order passed by the Coordinate Bench. It is not open to a party to dictate the terms of appearance before the trial Court, when a specific direction was issued in the order. If the parties wilfully flout the order of the Court, they cannot expect any equitable relief from the court and they must be made to bear the consequences of their action. After having obtained an order, the parties cannot be allowed to sleep over its compliance.

In view of the above, the present petition stands dismissed.

07.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No