

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-49564-2019
Date of decision : 29.03.2022

Joginder Singh @ Kala and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: None for the petitioners.

Mr.Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR no.54 dated 31.08.2019 registered under Sections 323, 324, 427, 452, 341, 506, 148, 149 IPC at Police Station Sadar District Pathankot and all the subsequent proceedings arising therefrom on the basis of compromise.

On 21.11.2019, a coordinate Bench of this Court was pleased to pass the following order:-

“Quashing of FIR has been sought on the basis of compromise.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab, learned counsel for the State accepts notice on behalf of State of Punjab.

Mr. S.K. Arya, Advocate accepts notice on behalf of the private respondents.

Let a copy of the petition be handed over to learned counsels appearing on behalf of State and private respondents.

Adjourned to 03.12.2019.

Counsel for the parties are requested to file an affidavit

before the next date of hearing with respect to following conditions:-

- 1. Number of persons arrayed as accused in FIR.*
- 2. Whether any accused is proclaimed offender.*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.*
- 4. Whether the accused persons are involved in any other FIR or not,*

Parties are directed to remain present before this Court on the next date of hearing.

**(ANIL KSHETARPAL)
JUDGE"**

21.11.2019

Thereafter, the matter was adjourned on 03.12.2019 and again on 14.03.2022 but the affidavits as directed to be filed vide order dated 21.11.2019, were not submitted.

Today also, no one has appeared on behalf of the petitioners nor the order dated 21.11.2019 has been complied with.

In view of the above, the present petition is dismissed with liberty to the petitioners to file a fresh petition on the basis of compromise after filing of affidavits as directed vide order dated 21.11.2019.

**(VIKAS BAHL)
JUDGE**

March 29, 2022
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No