

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

**CRM-M-271-2020
Date of decision: 06.12.2023**

JAGSIR SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

Ms. Sakshi, Advocate for
Mr. Arun Gupta, Advocate for respondent No.2.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking to quash the FIR bearing No.141 dated 10.08.2018, under Sections 498-A IPC, 1860, registered at Police Station Sardulgarh, District Mansa on the basis of compromise.
2. In terms of order dated 08.01.2020, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get the statements recorded and report was sought with regard to genuineness of compromise. However, the parties had not appeared in the trial Court and another opportunity was sought to do the needful. In terms of order dated 16.05.2022, the report was again sought from the Illaq Magistrate/trial Court with a direction to the parties to appear in the said Court on 08.07.2022 for getting the statements recorded. The opportunity was granted subject to deposit of Rs.5,000/- as cost with Poor Patient Welfare Fund, PGIMER, Chandigarh. Significantly, the parties again had not appeared before the Illaq Magistrate/trial Court. Even, the cost of Rs.5,000/- was also not deposited.
3. In terms of 23.09.2022, yet another opportunity was granted to the

parties to get the statements recorded, in the interest of justice and subject to costs which were then assessed as Rs.10,000/- to be deposited by the petitioner to the Poor Patient Welfare Fund, PGIMER, Chandigarh. However, despite another opportunity, the parties had not appeared to get the statements recorded. Accordingly, another opportunity was granted to the parties to get the statements recorded. By imposing a punitive cost of Rs.25,000/- each on both the parties and the costs were to be deposited in Punjab and Haryana High Court, Bar Association Lawyer's Family Welfare Fund.

4. Neither the punitive costs as imposed in terms of order dated 27.01.2023 have been deposited nor the parties have appeared before the learned Illaqa Magistrate/Duty Magistrate concerned to get the statements recorded.

5. Faced with this situation, learned counsel for the petitioner seeks to withdraw the present petition. Keeping in view the fact that the present petition pertains to the matrimonial dispute between the parties, the same is allowed to be withdrawn.

6. Dismissed as withdrawn.

06.12.2023

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(VIVEK PURI)
JUDGE

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