

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 245

CRM-M-20447-2022

Date of decision : 09.02.2023

Ravinder Singh Rajpoot

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.B.S.Bairagi, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.050 dated 18.03.2022 registered under Section 420 IPC at Police Station City Kotkapura, District Faridkot and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 21.04.2022 (Annexure P-2) entered into between the parties.

On 12.05.2022 this Court had passed the following order: -

“The petitioners have approached this Court seeking quashing of FIR No. 050 dated 18.03.2022 registered under Section 420 IPC at Police Satation City Kotakapura, District Faridkot (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Notice of motion for 20.10.2022.

At this stage, Mr. Tanvir Joshi, AAG, Punjab, accepts notice on behalf of respondent No.1-State.

The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

- (i) Whether there is any other accused other than the petitioners, arrayed in this petition?
- (ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition?
- (iii) Whether any accused has been declared Proclaimed Offender?
- (iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?

The report be submitted before this Court on or before the next date.”

As per the report dated 10.10.2022 received from the Judicial Magistrate Ist Class, Faridkot (for short, the trial court) none of the parties appeared before the trial court in terms of the order quoted order.

In the light of the above, no merit is found in the instant petition and the same is hereby dismissed.

09.02.2023
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[DEEPAK SIBAL]
JUDGE

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