

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.17443 of 2019

Date of Decision : 19.09.2023

Sukhpal Singh

....Petitioner

VERSUS

State of Punjab and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : None for the petitioner.
Mr. Harjinder Singh Sidhu, AAG Punjab.

ALKA SARIN, J. (Oral)

1. On 22.04.2019 the following order was passed :

“Prayer made in this petition is for quashing of FIR and all the consequential proceedings arising therefrom on the basis of the compromise between the parties.

Counsel for the petitioner states that apart from the fact that there is a panchayati settlement between the parties, the petitioner and respondent No.3 are staying together.

Notice of motion for 05.08.2019.

Meanwhile, the parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 22.05.2019.

The Illaqa Magistrate/trial Court is directed to submit a report along with copies of statements of parties on or before the next date of hearing containing the following information as well:-

- (i) Number of persons arrayed as accused in FIR;*
- (ii) Whether any accused is proclaimed offender; and*
- (iii) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.”*

In order dated 06.12.2019 it was noticed that statement of the complainant had been recorded, however, the petitioner did not appear before the JMIC, Ludhiana for getting his statement recorded. The petitioner was directed to appear before the learned Judicial Magistrate Ist Class, Ludhiana on 14.04.2020 for getting his statement recorded. The petitioner once again did not appear to get his statement recorded and it has been noticed in order dated 01.05.2023 that the petitioner did not appear before the Trial Court for getting his statement recorded in terms of the order dated 06.12.2019 and the counsel for the petitioner sought one opportunity to do so. The petitioner was directed to appear before the Trial Court by moving an appropriate application for getting his statement recorded. Report dated 17.07.2023 has been received from the Judicial Magistrate Ist Class, Ludhiana, wherein it has been stated that none appeared on behalf of the parties to get their statements recorded. Today also none has put in

appearance on behalf of the parties. It appears that the petitioner is not interested in pursuing the present petition.

In view of the above, this Court is left with no other option but to dismiss the present petition for non-prosecution.

Dismissed for non-prosecution. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

19.09.2023
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO