

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-21234-2023

Date of Decision:-13.10.2023

Lovepreet Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. S.S. Majithia, Advocate with
Mr. Sylvester Stephen, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Sultan Singh Gill, Advocate for the respondent no.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of the order dated 19.12.2022 (Annexure P-8) whereby the petitioner has been declared a proclaimed offender in case FIR No.59 dated 29.03.2019 under Section 420 IPC registered at P.S. Majithia, Amritsar.

A perusal of the record would reveal that the petitioner was appearing before the Trial Court uptill 2020 after which he has chosen to abscond from the proceedings and was thereafter declared a proclaimed offender.

When he first approached this court by way of the instant petition, on 01.05.2023 the following order was passed:-

“ *The learned counsel for the petitioner without arguing the case on merits submits that he is ready and willing to explore the possibilities of a compromise in the present case as prior to the registration of the*

FIR proceedings under Section 138 of the NI Act stand initiated against the present complainant at the instance of the petitioner.

On the oral request of the petitioner, the complainant-Judgepreet Singh son of Harjeet Singh is impleaded as party respondent no.2 to the present petition.

Notice to the newly added complainant.

Dasti as well.

In view of the above, the parties are directed to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of a settlement on 05.05.2023.

List on 09.05.2023.

In the meantime just for the purposes of allowing the petitioner to join mediation proceedings, the impugned order dated 19.12.2022 (Annexure P-8) shall remain stayed till the next date of hearing only.”

Thereafter on 09.05.2023 the following order was passed:-

“ *The learned counsel for the parties seeks more time to explore the possibilities of a settlement.*

In view of the above, the parties are directed to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of a settlement on 12.05.2023.

List on 19.05.2023.

Interim order to continue.”

Thereafter on 19.05.2023 the following order was passed:-

“ *The learned counsel for the petitioner seeks some time to file a petition for quashing of the FIR in question on the basis of a compromise effected between the parties.*

Adjourned to 08.08.2023.”

Thereafter on 08.08.2023 the following order was passed:-

“ *As the petitioner has deliberately chosen not fulfill the terms of the compromise, the interim order dated 01.05.2023 stands vacated.*

The Trial Court is free to proceed against the petitioner in accordance with law.

List on 25.08.2023.

A copy of this order be sent to the Trial Court for necessary compliance.”

Thereafter on 25.08.2023 the following order was passed:-

“ *The interim order dated 01.05.2023 is restored subject to the petitioner paying the respondent No.2 a sum of Rs.1,15,000/- within a*

period of one week from today.

List on 01.09.2023.

Interim order to continue.”

Thereafter on 01.09.2023 the matter was adjourned to 09.10.2023 on which date the following order was passed:-

“ *The interim order dated 01.05.2023 stands vacated.*
The Investigating Agency is free to proceed against the accused in accordance with law.
List on 15.01.2024.”

However, in the meanwhile in CRM-M-30594-2019 which had been filed for quashing of the FIR, vide order dated 12.10.2023 this petition which had been adjourned for 15.01.2024 and CRM-M-30594-2019 were both ordered to be taken up today i.e. 13.10.2023.

A perusal of the aforesaid orders would reveal that despite giving an undertaking to this Court on 25.08.2023 that he shall pay an amount of Rs.1,15,000/- within a period of 02 weeks from the said date, the petitioner has not done so.

In view of the aforementioned facts, the present petition stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

October 13, 2023
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>