

CRM-M-26090-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26090-2023

Date of decision: 28.08.2023

Sandeep Kumar and another

...Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioners.

Mr. Shubham Kaushik, AAG, Punjab.

Ms. Garima Modi, Advocate,
for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioners seek quashing of FIR No.25, dated 05.02.2019, under Sections 406, 420, 465, 467, 468, 471 and 120-B of IPC, 1860, registered at Police Station Phase 11, Mohali, along with all subsequent proceedings arising therefrom on the basis of compromise arrived at between the parties.

2. Vide order dated 22.05.2023 passed by a Coordinate Bench, the trial Court/Illaq Magistrate had been directed to record the statements of the parties with regard to the genuineness and authenticity of the compromise.

3. In compliance thereof, learned Judicial Magistrate Ist Class, SAS Nagar, Mohali, has submitted a report, vide letter dated 08.08.2023, indicating that statement of respondent No.2 has been recorded whereas despite three opportunities given to the petitioners, no one has come

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present on their behalf.

4. The petitioners did not opt to appear before the trial Court for the reasons best known to them and thereby flouted the order passed by the Coordinate Bench. It is not open to the petitioners to dictate the terms of appearance before the trial Court, when a specific direction was issued in the order. If the parties wilfully flout the order of this Court, they cannot expect any equitable relief from the Court and they must be made to bear the consequences of their action. After having obtained an order, the petitioners cannot be allowed to sleep over its compliance.

5. In view of the above, the present petition stands dismissed.

28.08.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No