

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

CRM-M-28216-2023

Date of Decision:-17.10.2023

Moni.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Chanakya Batta, Advocate for
Mr. Impinder Singh Dhaliwal, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of FIR No.197 dated 25.07.2022 under Sections 457, 380 IPC (Section 411 and 413 IPC added later on) registered at P.S. Malout, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom on the basis of compromise dated 09.05.2023 (Annexure P-2) entered into between the parties.

On 31.05.2023 the following order was passed:-

“ The present petition has been filed for quashing of an FIR No.197 dated 25.07.2022 (Annexure P-1) registered under Sections 457, 380 IPC (Section 411 and 413 IPC added later on) registered at Police Station Malout, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom, on the basis of compromise dated 09.05.2023 (Annexure P-2)

entered into between the parties.

Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into Compromise on 09.05.2023 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 17.10.2023.

Mr. Kirat Singh Sidhu, DAG Punjab accepts notice on behalf of respondent no.1-State of Punjab whereas Mr. Lovepreet Singh Sidhu, Advocate accepts notice on behalf of respondent no.2. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement with regard to the compromise dated 09.05.2023 (Annexure P-2) on 04.08.2023 by moving an appropriate application or by presenting this order. The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*
- 5. The Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victims/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.25,000/- with the District Legal Services Authority concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”

Pursuant to the aforementioned order none have appeared before the Court below to get their statements recorded.

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

(JASJIT SINGH BEDI)
JUDGE

October 17, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>