

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

**CRM-M-31064-2022**

**Date of Decision:-25.07.2023**

**Harinderjeet Singh.**

.....Petitioner.

Vs.

**State of Punjab & Anr.**

.....Respondents.

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

Present:- None for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

None for respondent no.2.

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**JASJIT SINGH BEDI, J.(ORAL)**

The prayer in this petition is for quashing of FIR No.128 dated 30.11.2021 (Annexure P-1) under Sections 420 and 406 IPC registered with PS Moonak, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 04.07.2022 (Annexure P-2) arrived at between the parties.

On 20.07.2022 the following order was passed:-

“ *The present petition has been filed for quashing of an FIR No.128 dated 30.11.2021 (Annexure **P-1**) registered under Sections 420 and 406 IPC registered with Police Station Moonak, District Sangrur and all other consequential proceedings arising therefrom, on the basis of compromise dated 04.07.2022 (Annexure **P-2**) entered into between the parties.*

*Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into Compromise dated*

04.07.2022 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

*Notice of motion for 18.11.2022.*

*Mr. H.S. Sullar, Deputy Advocate General, Punjab accepts notice on behalf of respondent no.1 whereas Mr. Kulbir Singh, Advocate accepts notice on behalf of respondent nos.2 and filed his power of attorney on his behalf. 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 04.07.222 (Annexure P-4) on 08.08.2022 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 question of imposition of cost for wasting the valuable time of the police as well as the Court will be assessed and imposed at the time of the final hearing of the present petition in case, the FIR is to be quashed.*

Thereafter on 15.03.2023 the following order was passed:-

“ On 20.07.2022, the parties were directed to appear before the Illaqa Magistrate/trial Court, to get their statements recorded with regard to the compromise, if any.

The learned counsel for the petitioner states that the parties could not appear before the Court below to get their respective statements recorded and he, thus, prays that one more opportunity be granted to the parties to do the needful.

Adjourned to 06.07.2023.

In the meantime, the parties are again directed to appear before the trial Court/Illaqa Magistrate for recording of their statement on 31.03.2023 with regard to the compromise by moving an appropriate application or by presenting this order, in terms of the order dated 20.07.2022 passed by this Court.”

Despite the passing of the aforementioned orders the parties have not come present before the Trial Court to get their statements recorded in terms of the compromise.

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

( JASJIT SINGH BEDI )  
JUDGE

July 25, 2023  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |