

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

CRM-M-41114-2022

Date of Decision:-12.04.2023

Shiv Inder Singh & Ors.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Madan Sandhu, Advocate for the Petitioners.

Ms. Navreet Kaur Barnala, Assistant Advocate General, Punjab.

None for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.184 dated 20.08.2022 under Sections 323, 324, 341, 506, 148, 149 IPC and Section 326 IPC (added later on) registered at P.S. City Kapurthala, District Kapurthala and all consequential proceedings arising therefrom on the basis of compromise dated 02.09.2022 (Annexure P-2) arrived at between the parties.

On 13.12.2022 the following order was passed:-

“ *The present petition has been filed for quashing of FIR No.184 dated 20.08.2022 under Sections 323, 324, 341, 506, 148, 149 IPC and Sections 326 IPC (added later on) registered with Police Station City Kapurthala, District Kapurthala and all other consequential proceedings arising therefrom, on the basis of compromise dated 02.09.2022 (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 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent No.1-State. Mr. Jaswinder Singh Rana, 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.

Adjourned to 12.04.2023.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 12.01.2023 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 in a tabulated form:-.

- 1. Number of persons arrayed 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 statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR and whether all the victim/complainant as well as accused are party to the compromise in*

question.

The question of imposition of costs 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.”

The report of CJM, Kapurthala has been received. As per the same none of the parties have appeared to get their statements recorded in terms of aforementioned order with regard to genuineness of compromise.

In view of the above, present petition is dismissed.

(JASJIT SINGH BEDI)
JUDGE

April 12, 2023
Vinay

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