

236 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-45764-2022 (O&M)

Date of Decision: 15.09.2023

GURBAJ SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CRM-M-46479-2022 (O&M)

Date of Decision: 15.09.2023

LAKHBIR SINGH ALIAS BAU AND OTHERS

.....Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lovepreet Singh, Advocate
for the petitioners in CRM-M-45764-2022 and
for respondents No. 2 and 3 in CRM-M-46479-2022.

Mr. Shivam Joshi, Advocate
for the petitioners in CRM-M-46479-2022 and
for respondents No. 2 and 3 in CRM-M-45764-2022.

Ms. Ruchika Sabherwal, DAG Punjab.

VIVEK PURI J. (Oral)

1. In CRM-M-45764-2022, the petitioners are seeking to the quash the DDR No. 35 dated 09.11.2021 registered under Sections 324, 323, 506 and 34 of the Indian Penal Code (Section 326 of IPC added later on) in FIR No. 227 dated 26.10.2021 registered under Sections 354, 323, 506, 34 of Indian Penal Code at Police Station Gharinda, District Amritsar on the basis of compromise.

2. In CRM-M-46479-2022, the petitioners are seeking to quash

the FIR No. 227 dated 26.10.2021 registered under Sections 354, 323, 506, 34 of Indian Penal Code at Police Station Gharinda, District Amritsar on the basis of compromise.

3. Initially, in terms of order(s) dated 01.02.2023 passed in both the cases, the private parties were directed to appear before the concerned Illaqa Magistrate/Duty Magistrate on 14.02.2023 to get their statements recorded and report was sought from the concerned Court with regard to genuineness/correctness of the compromise. However, none of the parties had appeared before the concerned Court on that date. Subsequently, an application seeking another opportunity was moved for getting the statements recorded.

4. In terms of order dated 10.04.2023, the parties were again directed to appear before the concerned Illaqa Magistrate/Duty Magistrate on 22.05.2023 and the concession was granted subject to payment of costs of Rs. 5,000/- to be paid by the petitioner No. 1 in CRM-M-45764-2022 in the account of Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund.

5. On 11.09.2023, the learned counsel for the private parties had sought pass over to place on record the receipt with regard to the deposit of costs of Rs. 5,000/- in terms of the order dated 10.04.2023. However, none had appeared on behalf of the parties in the post-lunch session, despite the case was called twice.

6. Today, learned counsel for the both the private parties have submitted that neither the costs of Rs. 5,000/- have been deposited nor the parties have got their statements recorded before the Illaqa Magistrate

with regard to genuineness of the compromise.

7. In these set of circumstances, both these petitions are hereby dismissed.

15.09.2023
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No