

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-47287-2022

Date of decision :24.05.2023

JAGTAR SINGH AND OTHERS

... Petitioner(s)

Versus**STATE OF PUNJAB AND OTHERS**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner(s).

Mr. Harkanwar Jeet Singh, Asst. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No.111 dated 31.07.2022 registered under Sections 379B(2), 380, 506 IPC at Police Station Shri Hargobindpur, along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

On 19.12.2022, the following order was passed:-

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The prayer in the application under Section 482 Cr.PC is for preponment of the date of hearing of the main petition from 09.03.2023.

Heard.

For the reasons stated in the application, the same is allowed and the date of hearing is advanced from 09.03.2023 to today itself and is taken up for hearing.

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The present petition has been filed for quashing of an FIR No.111 dated 31.07.2022 (Annexure P-1) registered under Sections 379B(2), 380, 506 IPC registered with Police Station Shri Hargobindpur,

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Batala and all other consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) entered into between the parties.

On 14.10.2022 the following order was passed:-

Petitioners, namely, Jagtar Singh, Baljinder Singh, Harpreet Singh and Manna @ Mandeep Masih, have filed present petition under Section 482 Cr.P.C. for quashing of FIR No. 111, dated 31.07.2022, under Sections 379B (2), 380 and 506 IPC, registered at Police Station Shri Hargobindpur, Batala, and all the consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Anmol Singh Sandhu, Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State. Mr. Ravinder Pankaj, Advocate, appears and accepts notice on behalf of respondent Nos. 2 and 3.

Adjourned to 01.11.2022.

Learned State counsel to file status report specifically mentioning that how many accused are involved in the present case and how many victims are there.

However, no such report has been received.

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.

Adjourned to 16.04.2023.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General, Haryana appears on behalf of the respondent no.1.

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 (Annexure P-2) on 16.01.2023 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 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 the Statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court*
- 5. 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 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.”

Despite the said order, none has appeared to get their statements recorded with respect to the compromise.

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In view of the above, I find no merit in the present petition.

Therefore, the same is dismissed.

(JASJIT SINGH BEDI)
JUDGE

24.05.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No