

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204

CRM-M-45339-2019 (O&M)
Date of decision: 02.09.2023

RAVI KUMAR @ AJAY AND ANR

...Petitioners

Versus

STATE OF PUNJAB AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: None for the petitioners.

Mr. C.L. Pawar, Addl. AG Punjab.

None for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

The petitioners have filed present petition under Section 482 Cr.P.C. for quashing of DDR Entry No. 24 dated 20.09.2018, registered under Sections 323, 341, 34, 506 IPC at Police Station Rawalpindi Phagwara, District Kapurthala, and all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2019 (Annexure P-2).

Vide order dated 23.10.2019 passed by a Coordinate Bench, the Area Magistrate was directed to record the statements of all concerned parties with regard to the genuineness and validity or otherwise of the compromise.

In compliance thereof, the learned Judicial Magistrate 1st Class, Phagwara, has submitted a report vide letter dated 14.11.2019, indicating that the parties had not appeared before the Magistrate for recording of their respective statements with regard to the validity of the compromise.

The parties did not opt to appear before the trial Court for the reasons best known to them and thereby flouted the order passed by this Court. It is not open to a party to dictate the terms of appearance before the trial Court, when a specific direction was issued in the order. If the parties wilfully flout the order of this Court, they cannot expect any equitable relief from the Court and they must be made to bear the consequences of their action. After having obtained an order, the parties cannot be allowed to sleep over its compliance.

In view of the above, the present petition stands dismissed, at this stage.

(HARNARESH SINGH GILL)
JUDGE

02.09.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No