

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

CRM-M-53986-2021

Date of Decision: 10.01.2023

Chandan and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: None for the petitioner.

Mr. Harjinder Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

The present petition under Section 482 Cr.P.C. has been filed on behalf of the petitioners for quashing of FIR No.193 dated 29.11.2019 (Annexure P-1), under Sections 149, 323, 341 and 506, registered at Police Station Division No.4 (also known as Police Station Lahori Gate), District Patiala and all the subsequent proceedings arising therefrom on the basis of compromise dated 02.12.2021 (Annexure P-2) arrived at between the parties.

A perusal of file reveals that there was no representation on behalf of the petitioners on the last date of hearing, i.e. 19.12.2022. Even today, the petitioners are not represented despite learned counsel for the petitioners being notified of the date fixed.

Learned State counsel has supplied a copy of judgment dated 07.01.2022, passed by the Court of Judicial Magistrate Ist Class, Patiala,

whereby the petitioners stand acquitted in the present case FIR (Annexure P-1).

A perusal of the paper book further reveals that in pursuance of order dated 23.12.2021, passed by a co-ordinate Bench of this Court, the parties appeared before the Judicial Magistrate Ist Class, Patiala in order to get their respective statements recorded in view of the compromise arrived at between them, whereupon the Judicial Magistrate Ist Class, Patiala submitted a report dated 02.02.2022. Relevant extract of the said report is reproduced as under:-

“ - x - x -

As per the directions of the Hon'ble High Court following information is provided:

- 1. In present case, six persons namely Chadan, Krishna, Komal Monu, Gopal and Annu are arrayed as accused in FIR.*
- 2. As per the information, provided by the Investigating Agency, accused persons never declared as proclaimed person/proclaimed offender. However, vide judgment dated 07.01.2022 the accused were already acquitted by the Court and against the judgment no appeal filed by the State.*
- 3. In view of the statements suffered by the parties, this Court is of the considered view that the parties have voluntarily entered into a genuine compromise with their free will without any undue influence or pressure.*
- 4. As per information provided by the police, against accused Chadan criminal case title as "State vs. Raju" bearing FIR No.15 of 2018, P.S. Kotwali, Patiala is pending in the court of Ms. Ankita, Learned Judicial Magistrate, Patiala and no case is pending against the remaining accused.*

5. *As per the information, provided by the Investigating Agency, there is one complainant namely Kajal in the FIR.*

The requisite report is accordingly submitted please, for onward transmission to the Hon'ble High Court. Photocopies of the statements so recorded are enclosed herewith, for kind perusal, please.

- x - x - ”

Even in the aforesaid report dated 02.02.2022, the Judicial Magistrate Ist Class, Patiala has recorded the fact that vide judgment dated 07.01.2022, the accused have been acquitted by the Court.

In view of the above, no further orders are required to be passed by this Court in the instant case.

Present petition is accordingly disposed of.

10.01.2023

Apurva

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No