

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

CRM-M-43433-2019(O&M)

Date of Decision:-22.11.2023

Inder Singh & Ors.

.....Petitioners.

Versus

Harjit Singh & Anr.

.....Respondents.

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

Present:- Ms. Jasneet Mehra, Advocate for
Mr. L.M. Gulati, Advocate for the Petitioner.

Mr. Sukhdeep Singh, Advocate for the respondent no.1.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of the Complaint Case No.COMI/387/2016 dated 29.07.2016 titled as Harjit Singh Vs. Inder Singh & Ors. and the summoning order dated 26.07.2017 under Sections 323, 324, 325, 326, 504, 506 IPC and all consequential proceedings arising therefrom on the basis of a compromise.

On 26.02.2020 the following order was passed:-

“*Learned counsel for respondent No.1-complainant submits that the matter has been compromised in FIR case as well as in complaint case.*

List again on 12.05.2020.

In the meantime, parties are directed to appear before the trial Court/Illaq Magistrate for recording their statements with regard to compromise/settlement within a period of 30 days from today. The trial Court/Illaq Magistrate is directed to submit a report on or before the next date of hearing containing the following information: -

1.

Number of persons arrayed as accused in FIR,
2.

Whether any accused is proclaimed offender, and
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.
5.

The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR. ”

Thereafter on 17.08.2023 the following order was passed:-

“ On 26.02.2020, the parties were directed to appear before the Illaqa Magistrate/trial Court, to get their statements recorded with regard to the compromise, if any.

Learned counsel for the petitioners states that the matter was adjourned from time to time due to the COVID-19 pandemic and therefore, the statements were not recorded, she thus prays that one more opportunity be granted to the parties to do the needful.

Adjourned to 22.11.2023.

In the meantime, the parties are directed to appear before the trial Court/Illaqa Magistrate for recording of their statements with regard to the compromise on 11.09.2023.

The trial Court is directed to submit its report on or before the next date of hearing.”

Despite passing of the aforementioned orders, the report dated 18.10.2021 submitted by Himanshu Arora, Judicial Magistrate Ist Class, Amritsar and report dated 14.09.2023 of Addl. CJM, Amritsar would show that the parties did not appear before the Court in support of the compromise.

In view of the above, the present petition stands dismissed.

(JASJIT SINGH BEDI)

JUDGE

November 22, 2023

Vinay

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