

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

282

CRM-M-3683-2024
Date of Decision : April 22, 2024

DEEPAK @ DEEPIKA KINNER AND ORS. -PETITIONERS

V/S

STATE OF HARYANA AND ORS. -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: None for the petitioners.

Mr. Yuvraj Shandilya, A.A.G., Haryana.

None for the respondents No. 2 to 5.

KULDEEP TIWARI, J. (ORAL)

1. This Court had, through drawing an order on 23.01.2024, upon the instant petition, directed the parties herein to appear before the learned trial Court/Illaqa Magistrate concerned, to get their respective statements recorded regarding the authenticity of compromise, as purportedly arrived at *inter se* them.
2. As per report of the Sub Divisional Judicial Magistrate, Tohana, all the parties herein, except petitioner No.5- Kulwant Singh, had appeared before him and suffered their joint statement. This report further reveals that the statement of the investigating officer concerned was also recorded, wherein, he deposed that the petitioner No.5-Kulwant Singh has left his address without any intimation and his whereabouts are not known to anyone. The investigating officer concerned further deposed that petitioner No.5- Kulwant Singh has been declared a “Proclaimed Offender” in another FIR No.137/2018, registered at P.S. Jakhal.

3. Taking into account the conduct of the petitioner No.5- Kulwant Singh, who is not coming forward to make any statement about authenticity of the compromise concerned, besides also the fact that none has caused representation either on behalf of the petitioners or on behalf of the private respondents concerned to render any explanation in the above regard, the prima inference, as becomes generated in these circumstances, is that, no compromise has been arrived at *inter se* the parties concerned. Consequently, this Court is constrained to dismiss the instant petition. Accordingly, the instant petition is **dismissed**.

April 22, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No