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

CRM-M-6233-2021

Date of Decision: 05.08.2024

Karmjit Singh @ Balu and Another

..... Petitioners

Versus

State of Punjab and Another

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Ms. Arshdeep Kaur, Advocate for
Mr. Yashpal Thakur, Advocate
for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Gaurav Arora, Advocate
for respondent No. 2.

AMARJOT BHATTI, J.(oral)

1. Petitioners Karmjit Singh @ Balu and Angrez Singh @ Paramjeet Singh have filed petition under Section 482 Cr.P.C. for quashing of FIR No. 0168 dated 02.05.2020, under Sections 458, 323, 380, 506, 34 and 188 of Indian Penal Code, 1860, registered at Police Station Sadar Dhuri, District Sangrur, Punjab (Annexure P-1) and all consequential proceedings arising thereof, on the basis of compromise dated 14.05.2020 (Annexure P-4).

2. In this petition for quashing of FIR on the basis of compromise, notice was given to State of Punjab and Mr. Hittan Nehra, Addl. AG, Punjab accepted notice but he did not wish to file any reply. Mr. Gaurav Arora, Advocate appeared for respondent No. 2, who confirmed the compromise with petitioners. Accordingly, parties were directed to appear

before *Illaqa* Magistrate/Duty Magistrate on 22.02.2021 for recording of their statement in terms of compromise dated 14.05.2020, Annexure P-4. However, as per order dated 26.03.2021, learned counsel for petitioners filed amended memo of parties and requested for one more opportunity to get statements of parties recorded in terms of order dated 11.02.2021. Accordingly, this Court directed parties to appear before Illaqa Magistrate/Duty Magistrate concerned for recording their statements in terms of compromise on 20.04.2021 and report was called in terms of order dated 11.02.2021.

3. Report was received bearing Letter No. 91 dated 28.04.2021 that neither petitioners nor respondent No. 2/complainant appeared before trial Court for recording their statements. Learned counsel for parties again requested for another opportunity for recording of their statements since the parties could not appear due to unavoidable circumstances. Again they were directed to appear before Illaqa Magistrate/Trial Court on 30.05.2022 or any other date convenient to the Court for recording of their statements. Again intimation has been received from Judicial Magistrate 1st Class, Malerkotla vide Letter No. 178 dated 31.05.2022 that none of the parties appear before the Illaqa Magistrate/ Trial Court for recording of their statements.

4. Today, learned counsel for petitioners again requested for another opportunity for recording of their statements before the Illaqa Magistrate/ Duty Magistrate. Aforesaid factual position clearly indicates that despite given opportunity time and again petitioners and respondent No. 2 have failed to comply the orders of this Court. From their conduct, it appears that the parties have not arrived at any compromise. Therefore,

finding no merits, present petition seeking quashing of FIR No. 0168 dated 02.05.2020, under Sections 458, 323, 380, 506, 34 and 188 of Indian Penal Code, 1860, registered at Police Station Sadar Dhuri, District Sangrur, Punjab, on the basis of compromise dated 14.05.2020 stands dismissed.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

05.08.2024
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No