



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6692-2024

Date of decision : 16.07.2024

JARNAIL SINGH BAJWA AND OTHERS

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner(s).

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

On 08.02.2024, the following order was passed:-

“The present petition has been filed for quashing of an FIR No.236 dated 21.10.2023 under Sections 406, 420 and 120-B IPC registered at Police Station Kharar, District SAS Nagar, Punjab and all other consequential proceedings arising therefrom, on the basis of compromise dated 23.10.2023 (Annexure P-2), entered into between the parties.

Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into compromise (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 16.07.2024.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent No.1-State.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 05.03.2024



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by moving an appropriate application or by presenting this order.

The trial Court/Illaqa Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated form:-.

- 1. Number of persons arrayed accused in FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 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; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court; 6. The Trial Court is also directed to record the statement of the Investigating Officer/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR and whether all the victim/complainant as well as accused are party to the compromise in question.*

The petitioners shall deposit a cost of Rs.25,000/- (collectively) with the Punjab and Haryana High Court Bar Association, Chandigarh, Account No.65035682434, SBI High Court Branch, IFSC:-SBIN0050306 concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaqa Magistrate”

A perusal of the report dated 1303.2024 passed by the JMIC, Kharar would reveal that none of the parties put in appearance for recording their statements.

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

(JASJIT SINGH BEDI)
JUDGE

16.07.2024
JITESH

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