

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8959-2020

Date of decision :16.01.2024

AMRITPAL SINGH @ AMBA AND ANOTHER

... 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 25.07.2023, the following order was passed:-

“The present petition has been filed for quashing of an FIR No.148 dated 03.10.2019 (Annexure P-1) registered under Sections 379-B, 34 IPC registered at Police Station Badhni Kalan, District Moga and all other consequential proceedings arising therefrom, on the basis of compromise dated 13.01.2020 (Annexure P-2) entered into between the parties.

Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into Compromise on 13.01.2020 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Adjourned to 16.01.2024.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement with regard to the compromise dated 13.01.2020 (Annexure P-2) on 31.08.2023 by moving an appropriate application or by presenting this order. The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information:-

1. Number of persons arrayed as accused in the 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 Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victims/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 District Legal Services Authority concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaqa Magistrate.

Despite the passing of the aforementioned order, the parties did not appear before the Illaqa Magistrate to get their statements recorded with regard to the compromise dated 13.01.2020 (Annexure P-2).

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

(JASJIT SINGH BEDI)
JUDGE

16.01.2024
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No