2024:PHHC: 045019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

279 **CRM-M-3928-2016**
Date of decision: 03.04.2024

SANDEEP SINGH **.... PETITIONER(S)**

VERSUS

SUMAN KUMARI **...RESPONDENT(S)**

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Abhishek Sharma, Advocate
for the petitioner(s).

Mr. M.S. Dhami, Advocate
for the respondent.

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JASJIT SINGH BEDI, J. (Oral)

On 28.11.2023 the following order was passed:-

"The Prayer in this petition under Section 482 Cr.PC is for the quashing of the Complaint No.3008 of 2013 dated 03.09.2011 titled "Suman Kumari Vs. Balram Singh & Ors. (Annexure P-1) pending in the court of JMIC, Hoshiarpur and summoning order dated 20.10.2015 (Annexure P-6) on the basis of compromise dated 30.07.2009 (Annexure P-5) .

Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into Compromise dated 30.07.2009 (Annexure P-5) according to which, both the parties have agreed not to proceed further with the proceedings in question.

Adjourned to 03.04.2024.

The Counsel for the respondent does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the complaint any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaqa Magistrate for recording of their statements on 30.01.2024 with regard to the compromise dated 30.07.2009 (Annexure P-5) 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:-

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Punjab & Haryana High Court, CHD

> *1. Number of persons arrayed as accused in the complaint/case;*
>
> *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 complaint/case/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 complaint/summoning order and whether all the victims/complainant as well as accused are party to the compromise in question.*
>
> *The petitioner shall deposit a cost of Rs.25,000/- 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 passing of the aforementioned order, none of the parites have appeared before the Court concerned to record their statements in support of the compromise.

In view of the above, the present petition stands dismissed with the liberty to file a fresh one, if and when a proper compromise is arrived at between the parties.

(JASJIT SINGH BEDI)
JUDGE

03.04.2024

Kusum

Whether speaking/reasoned	*Yes/No*
Whether Reportable	*Yes/No*

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