

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.23002 of 2023

Date of decision: 4th March, 2024

Sarabjit Singh @ Sarba & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioners.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Vide order dated 31.07.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise so effected between them.

2. The learned trial Court has submitted its report dated 11.09.2023 in the following terms:

“Today case was fixed for recording the statement of the parties (petitioners Sarabjit Singh @ Sarba, Tirath @ Tirath Sidhu, Sandeep @ Sandeep Singh, Jinder @ Harjinder Singh and complainant Rakesh Kumar @ Keshi in CRM-M-23002-2023) but today appearing accused stated at bar that one accused/petitioner namely Hardeep Singh (a Gora has gone abroad, therefore, this Court cannot record

the statement of the remaining abovesaid accused and complainant Rakesh Kumar @ Keshi.”

3. It will also be apposite to reproduce the previous orders passed by this Court in the instant case

Order dated 05.10.2023

“Case called twice, however, even on second call nobody has entered appearance to make submissions either on behalf of the petitioners or the private respondent.

Purely in the interest of justice, adjourned to 03.11.2023.”

Order dated 22.11.2023

“Case called, however, yet again there is no representation on behalf of the petitioners. Similar was the position on the previous date of hearing.

Purely in the interest of justice, adjourned to 28.02.2024.”

Order dated 28.02.2024

“Case called twice, however, even on the second call there is no representation either on behalf of the petitioners or the private respondent.

A perusal of the previous orders dated 05.10.2023 and 22.11.2023 reveals that on the said dates as well there was no representation on behalf of the parties.

Purely in the interest of justice, adjourned to 04.03.2024.

Registry is directed to intimate the learned counsel for the parties about the date fixed.

It is made clear that in case there is no representation on behalf of the petitioners as well as the private respondent

on the adjourned date, the petition shall be dismissed for non prosecution.”

Yet again, even on second call there is no representation on behalf of either of the parties.

Dismissed for non prosecution.

(MANJARI NEHRU KAUL)
JUDGE

March 4, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No