

284 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36593-2023

Date of Decision : April 22, 2024

Jaspreet Singh @ Monu and others

.....Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None.

JASJIT SINGH BEDI, J. (Oral)

On 31.07.2023, the following order was passed :-

“The prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.149 dated 03.11.2014 (Annexure P-1) registered under Sections 323, 324, 148, 149 IPC, 1860 at Police Station Kharar, District SAS Nagar, Mohali and all other consequential proceedings arising therefrom, on the basis of compromise dated 17.07.2023/24.07.2023 (Annexure P-3) entered into between the parties.

The learned counsel for the petitioners submits that in order to live peacefully, parties have entered into compromise on 17.07.2023/24.07.2023 (Annexure P-3), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion.

Mr. Kirat Singh Sidhu, D.A.G, Punjab who is present in Court accepts notice on behalf of respondent No.1-State.

Mr. Bhisham Kinger, accepts notice on behalf of respondent Nos.2 to 4 and has filed his Vakalatnama. The same is taken on record. He 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 FIR any further.

Adjourned to 11.01.2024.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement on 31.08.2023 with regard to the compromise/settlement dated 17.07.2023/24.07.2023 (Annexure P-3) 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 in a tabulated format:-

1. Number of persons arrayed 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 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 so as to know how many victims/complainants are there in the FIR and 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 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, the parties have not appeared before the trial Court for recording their statements with respect to their compromise dated 17.07.2023/24.07.2023 (Annexure P-3).

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

April 22, 2024
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(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO