

274 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36602-2023

Date of Decision : March 14, 2024

Narender Singh and others

.....Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioners.

Mr. Rajiv Goel, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

On 28.07.2023, the following order was passed :-

“The present petition has been filed for quashing of FIR No.162 dated 05.05.2022 under Sections 406, 420 and 370 IPC and Section 24 of the Immigration Act, 1983 registered at Police Station Ram Nagar, District Karnal and all other consequential proceedings arising therefrom, on the basis of compromise (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 22.01.2024.

Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of respondent No.1-State. Mr. Vishal Thakur, Advocate, accepts notice on behalf of respondent No.2. 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.

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 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 in a tabulated form:-.

- 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/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 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/Illaq Magistrate.”

Thereafter on 25.09.2023, the following order was passed :-

“CRM-M-39280-2023

The prayer in the application under Section 482 Cr.PC is for extention of time for getting the statements of parties recorded in terms of the order dated 28.07.2023 with regard to genuineness of compromise.

Heard.

For the reasons stated in the application, the same is allowed and the parties are directed to get their statemetns recorded in terms of the order dated 28.07.2023 with regard to genuineness of compromise on 03.10.2023.

The application stands disposed of.”

Despite passing of the aforementioned orders, none of the paties have appeared before the trial Court/Illaqa Magistrate to get their statements recorded.

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

March 14, 2024
satish

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO