

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42329-2023

Date of decision :20.01.2024

MUKHTAR SINGH @ MUKHA AND OTHERS

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. J.S. Mahal, Advocate
for the petitioner(s).

Mr. Kirat Singh Sidhu, DAG, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

On 25.08.2023, the following order was passed:-

“The present petition has been filed for quashing of FIR No.0077 dated 25.07.2022 under Sections 380, 323, 427, 506, 148 and 149 IPC registered at Police Station Rangar Nangal, Police district Batala, District Gurdaspur and all other consequential proceedings arising therefrom, on the basis of compromise dated 07.03.2023 (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 17.01.2024.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent No.1-State. Mr. Paresh Jagga, Advocate, accepts notice on behalf of respondents No.2 to 4. 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 25.09.2024 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. ”

Pursuant to the aforementioned order, none of the parties have appeared before the Court.

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

However, the parties are at liberty to approach this Court once again if and when a proper compromise has been arrived at between the parties.

(JASJIT SINGH BEDI)
JUDGE

20.01.2024
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No