

CRM-M-44539-2023
Date of Decision : March 11, 2024

Vishal Singh and others
State of Punjab and others

Vs.

..Petitioners
...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner.
Mr. Mohit Saroha, AAG, Punjab.
None for the private respondents.

JASJIT SINGH BEDI, J. (Oral)

On 06.09.2023, the following order was passed :-

“The present petition has been filed for quashing of FIR No.33 dated 08.04.2023 under Sections 323, 324, 506, 148 and 149 IPC (Section 326 IPC added later on) registered at Police Station Kathunangal, District Amritsar and all other consequential proceedings arising therefrom, on the basis of compromise dated 07.08.2023 (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 19.10.2023.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent No.1-State.

Mr. Deepanshu Sodhi, Advocate, accepts notice on behalf of the private respondents. 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/Illaqa Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 25.09.2023 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 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 19.10.2023, the following order was passed :-

“The learned counsel for the parties pray for one more opportunity to appear before the Trial Court for recording their statements in terms of the order dated 06.09.2023.

In view of the above, the parties are directed to appear once again before the Trial Court on 04.12.2023 for recording their statements in terms of the aforesaid order.

The Trial Court is directed to send its report on or before the next date of hearing i.e. 11.03.2024.”

Despite passing of the aforementioned orders, the parties have not appeared before the Trial Court/Illaq Magistrate to get their statements recorded.

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

(JASJIT SINGH BEDI)
JUDGE

March 11, 2024
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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO