

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

287

CRM-M-55108-2023
Date of decision: 02.04.2024

GURMOLAK SINGH PETITIONER(S)

VERSUS

STATE OF PUNJAB AND OTHERS ...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner(s).

Mr. Mohit Saroha, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

On 03.11.2023, the following order was passed:-

“The Prayer in this petition under Section 482 Cr.PC is for the quashing of the FIR No.20 dated 05.03.2016 (Annexure P-1) under Sections 325, 323, 149 IPC registered at P.S. Sadar Kotkapur, District Faridkot and all other consequential proceedings arising therefrom, on the basis of compromise dated 16.10.2023 (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 dated 16.10.2023 (Annexure P-2) according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 02.04.2024.

Mr. Kirat Singh Sidhu, DAG Punjab accepts notice on behalf of respondent no.1-State of Punjab whereas Ms. Harpreet Kaur, Advocate accepts notice on behalf of the respondent no.2 and has filed her power of attorney. 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 of their statements on 11.01.2024 with regard to the compromise dated 16.10.2023 (Annexure P-2) 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:-

- 1. Number of persons arrayed as 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 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 victims/complainant as well as accused are party to the compromise in question.

The petitioner shall deposit a cost of Rs.25,000/- 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 the passing of the afore-mentioned order, none of the parties appeared in the Court to record their statements regarding the compromise.

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

(JASJIT SINGH BEDI)
JUDGE

02.04.2024

Kusum

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No