



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-55878-2023

Date of Decision:-24.07.2024

Darshan Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Garima Chaudhary, Advocate for
Mr. Amit Arora, Advocate for the Petitioner.

Mr. Malkiat Singh, DAG Punjab.

None for the respondent nos.2 to 6.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.30 dated 05.03.2019 (Annexure P-1) under Sections 323, 324, 452, 427, 506, 148 & 149 IPC (Offence under Section 325 IPC added later on) registered at Police Station Goindwal Sahib, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

On 06.11.2023 the following order was passed:-

“ *The prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.30 dated 05.03.2019 (Annexure P-1) registered under Sections 323, 324, 452, 427, 506, 148 and 149 IPC, 1860 (Section 325 IPC added later on) at Police Station Goindwal Sahib, District Tarn Taran and all other consequential proceedings arising therefrom, on the basis of compromise dated*



28.09.2023 (Annexure P-2) entered into between the parties.

The learned counsel for the petitioners submits that in order to live peacefully, parties have entered into compromise on 28.09.2023 (Annexure P-2), 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. Jagjeet Singh, Advocate accepts notice on behalf of respondent Nos.2 to 6 and has filed his Memorandum of Appearance. 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 18.03.2024.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement on 18.01.2024 with regard to the compromise/settlement dated 28.09.2023 (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 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/Illaq Magistrate.”

Thereafter on 18.03.2024 the following order was passed:-

“ The Counsel for the parties prays for one more opportunity to get their statements recorded with regard to the genuineness of compromise in terms of the order dated 06.11.2023.

Adjourned to 24.07.2024.

In the meanwhile, the parties are directed to get get their statements recorded with regard to the genuineness of compromise in terms of the order dated 06.11.2023 before the Trial Court on 15.04.2024.”

Despite the passing of the aforementioned orders, the parties did not get their statements recorded before the Trial Court with regard to the genuineness of compromise.

In view of the above, present petition is dismissed with liberty to the parties to approach this Court if and when a proper compromise is arrived at between the parties.

(JASJIT SINGH BEDI)
JUDGE

July 24, 2024
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>