

282 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56151-2023

Date of Decision : April 08, 2024

Sahil Gill and anotherPetitioners
Vs.
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Anil Kumar Lamdharia, Advocate
for the petitioners.

Mr. Mohit Saroha, AAG, Punjab.

Mr. Joginder Siwach, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

On 08.11.2023, the following order was passed :-

“The prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.0106 dated 06.06.2016 (Annexure P-1) registered under Sections 451, 323, 506, 380, 147 and 149 IPC at Police Station City Police Station Kharar, District SAS Nagar and all other consequential proceedings arising therefrom, on the basis of compromise dated 08.08.2016 (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 08.08.2016 (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.

Adjourned to 08.04.2024.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaqa Magistrate for recording of their statement on 23.01.2024 with regard to the compromise/settlement dated 08.08.2016 (P2) 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 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/Illaqa Magistrate.

Learned counsel appearing for respondent No.2 submits that on account of threat being meted out, respondent No.2 does not wish to compromise the matter.

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

(JASJIT SINGH BEDI)
JUDGE

April 08, 2024
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Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO