

**276 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-58961-2022 (O&M)****Date of Decision: 14.03.2024**

Davinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioners.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Kudrat Sareen, Advocate,
for respondent No.2.**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 59 dated 07.06.2022, registered under Sections 420 & 120-B IPC and Section 13(1) of Punjab Travel Professional Regulation Act, 2014, at Police Station, Rahon, Nawanshahar, District SBS Nagar along with subsequent proceedings arising therefrom on the basis of compromise dated 15.09.2022 (P-2).

2. This Court on 21.12.2023, passed the following order:-

“Learned counsel for the petitioner contends, inter alia, that matter has been compromised between the parties i.e. petitioners and respondent No.2.

Petitioners shall file their affidavits that there is no other criminal case(s) pending against them and also give the details of any other FIR(s), already quashed on the basis of compromise.

In view of the above, let parties appear before the Court of learned Illaqa Magistrate/trial Court on or before 30.01.2024 for recording their statement(s) with reference to the compromise, if any, entered into between them.

Learned Illaqa Magistrate/trial Court shall record the statement(s) of all accused, complainant/injured and victim, if any, and submit a report to this Court before the next date of hearing containing the following information:-

- (i) Whether the statements of the parties are bona fide and not result of any pressure or coercion etc. in any manner?*
- (ii) Whether the compromise effected between the parties is genuine and valid?*
- (iii) Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?*
- (iv) Whether any other case is pending against either of the parties or not, if yes, the details thereof?*
- (v) Whether any of the persons involved in this case/dispute has been declared a proclaimed offender?*
- (vi) Whether any of the petitioner(s) is/are previous convict or not?*

List before this Court on 14.03.2024 for further consideration.

Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection?

Copy of this order be sent to learned Judicial Officer concerned forthwith for information and strict compliance.”

3. Despite the aforesaid order, parties did not appear before learned Additional Chief Judicial Magistrate, SBS Nagar and the report dated 07.03.2024 reads *inter-alia* as under:-

“Today i.e. 30.01.2024, in compliance of above said order passed by Hon’ble Punjab and Haryana High Court, Chandigarh. parties have not appeared before the Court of undersigned to suffer their statements with regard to their compromise. Moreover, as per report of Ahlmad of this Court, even the parties have not appeared before this Court as well as before the Court of learned Duty

Magistrate, SBS Nagar before 30.01.2024 to suffer their statements with regard to their compromise.

As such, statements of the parties concerned regarding their compromise could not be recorded due to non-appearance of the parties. Report is being humbly submitted, accordingly.”

4. In view of the above, this Court is satisfied that as on today, there is no compromise between the parties; hence the petition is dismissed, at this stage.
5. Pending application(s), if any, shall also stand disposed off.

14.03.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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