

297 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57344-2023

Date of Decision : February 21, 2024

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.....Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. I.S. Dhaliwal, Advocate
for the petitioner.

Mr. Gurpartap Singh Bullar, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

On 16.11.2023, the following order was passed :-

“The present petition has been filed for quashing of FIR No.197 dated 25.07.2022 under Sections 457, 380 IPC (Sections 411 and 413 IPC added later on) registered at Police Station City Malout, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom, on the basis of compromise dated 09.05.2023 (Annexure P-2), entered into between the parties.

The learned counsel for the petitioner 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 21.02.2024.

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

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 20.12.2023 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.”

Pursuant to the aforementioned order, none of the parties appeared before the Trial Court/Illaqa Magistrate to get recorded their statements.

In view of the above, the present petition stands dismissed with liberty to the parties to approach this Court, once again, if and when appropriate compromise is arrived at between them.

February 21, 2024
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(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO