

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59162-2023
Date of decision : 02.05.2024

HARDEEP SINGH AND ORSPetitioners

Versus

STATE OF PUNJAB AND ANR ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : None for the petitioners.

Mr. J.S. Arora, DAG, Punjab.

None for respondent No.2.

PANKAJ JAIN, J. (ORAL)

While issuing notice of motion on 24.11.2023 following order
was passed :

“The present petition has been moved invoking jurisdiction of this Court under Section 482 Cr.P.C by the petitioners seeking quashing of FIR No.0185 dated 12.06.2018, registered for offences punishable under Sections 323/324/326/506/34 IPC, at Police Station City-1, Khanna.

Learned counsel for the petitioners contends that the matter already stands compromised vide Annexure P-2.

Notice of motion for 22.02.2024.

On the asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab accepts notice on behalf of respondent No.1-State. Mr. D.S.Nigha, Advocate appears and accepts notice on behalf of respondent No.2 and admits the fact of there being a compromise between the parties.

In view of the above, both the parties are directed to appear before learned Duty Magistrate/Illaqa Magistrate/trial Court on 22.12.2023. On their doing so, the learned Duty Magistrate/Illaqa Magistrate/trial Court shall record their statements and furnish its

report to this Court by the next date of hearing on the following aspects:-

1. Number of persons arrayed as accused in the FIR.
2. Whether any accused is 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 case or not?
5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.

A copy of the report be also sent to the Registrar Judicial of this Court.

Needless to say that in case for any reason the statements are not recorded on the aforesaid date, the learned Duty Magistrate/Illaq Magistrate/trial Court shall be at liberty to call the parties on any other date but not later than a week thereafter.”

Pursuant to the aforesaid order, report has been received from

JMIC, Khanna to the following effect :

“In compliance with the orders dated 24.11.2023, passed in the captioned Criminal Misc., accused persons namely Hardeep Singh, Rupinder Singh and Malwinder Singh / petitioners No.1 to 3 have appeared in the Court of undersigned on 22.12.2023 and they have suffered separate statement that they are not available with the complete documents and they will get recorded their statements regarding compromise on 02.01.2024 on which date they will produce the complete documents. So on their request, the case was adjourned to 02.01.2024. On 02.01.2024, the accused persons namely Hardeep Singh, Rupinder Singh and Malwinder Singh / petitioners No.1 to 3 have again suffered separate statement that they will move an application regarding amendment in the captioned Criminal Misc. as petition has been filed against Amrinder Walia, however his attorney is not made party in aforesaid petition. They further stated that the application will be

moved well before the date fixed i.e. 22.02.2024 before the Hon'ble High Court and they will produce the order regarding amendment and on their request, the case was adjourned to 22.01.2024. On 22.01.2024, no order regarding amendment was produced on the Court file by the accused persons nor they got recorded their statements regarding compromise.

In view thereof, the present petition is dismissed.

May 02, 2024			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No