



CRM-M-24171-2024(O&M)

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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CRM-M-24171-2024(O&M)

Date of Decision: 01.05.2025

Balvir Singh & ors.

..... Petitioners

VERSUS

State of Punjab & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. G.S. Thind, Advocate
for the petitioners.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

Mr. Sarabjeet Singh, Advocate
for respondents No.2 and 3.

NAMIT KUMAR, J. (ORAL)

1. On 13.02.2025, the following order was passed:-

“XX XX XX XX XX

The petitioners have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.29 dated 26.02.2021 registered under Sections 406 & 498-A of IPC at Police Station Dharmkot, District Moga (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 08.04.2024 (Annexure P-2) effected between the parties and affidavit dated 08.04.2024 (Annexure P-3).

Learned counsel for respondents No.2 & 3 admits the factum of compromise.

Learned State counsel submits that petitioners No.1 & 2 are on bail and are facing trial, however, petitioner No.3 is at large.

In reply, learned counsel for the petitioners submits that petitioner No.3 shall surrender before the Trial Court within a period of one month from today and he may be protected in the meanwhile as the matter is already



compromised between the petitioners and respondents No.2 &3.

Petitioner No.3 is directed to surrender before the Trial Court within a period of one month from today and on his surrender he shall be released on bail subject to furnishing of bail/surety bonds to the satisfaction of the Illaqa Magistrate/Trial Court.

After the surrender of petitioner No.3, the parties shall appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise on 24.03.2025.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused.*
- 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 FIR 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.*

Adjourned to 01.05.2025, for awaiting the report.

3. As per report of learned Judicial Magistrate Ist Class, Moga, dated 25.03.2025, no one has appeared before the Court for recording their statements.

4. Learned State counsel submits that petitioner No.3 has not surrendered before the trial Court in terms of the order dated 13.02.2025.

4. Learned counsel for the petitioners submits that since petitioner No.3 is living in Australia and due to some reasons, he could not come to India and surrender, therefore, he wishes to withdraw the present petition at



this stage with liberty to file fresh one on the same cause of action at an appropriate stage when petitioner No.3 would come to India.

5. Dismissed as withdrawn with the aforesaid liberty.

01.05.2025

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No