

RUBY VS STATE OF PUNJAB AND ANOTHER

Present: Mr. Harsh Chopra, Advocate
for the petitioner.

The present petition has been filed seeking quashing of FIR No.92 dated 11.06.2021, under Sections 420 and 494 of IPC registered at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar and all consequential proceedings arising therefrom, on the basis of compromise deed dated 15.12.2022 (Annexure P-2).

Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab, waives service on behalf of the respondent-State whereas, Mr. Amit Singh Panghal, Advocate has filed power of attorney on behalf of respondent No.2 and has submitted that he has no objection in case the FIR is quashed on the basis of compromise (Supra).

In view of above, the parties are directed to appear before the Illaqa Magistrate/trial Court on dated 20.12.2023 to get their respective statements recorded regarding compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the date fixed in the present petition specifically with regard to the following facts:-

1. Number of persons arrayed as accused in the FIR;
2. Whether any accused is proclaimed offender;
3. Stage of the trial/proceedings.
4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and
5. Total number of victims and their names.

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate to get his statement recorded regarding compromise.

To come up on 24.01.2024

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.

(KULDEEP TIWARI)
JUDGE

23.11.2023
monika