

237 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

HEMLATA
01.01.16
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CRM-M-32594-2014

Date of Decision: 17.03.2015

KAPIL NISCHAL

... Petitioner

Versus

STATE OF PUNJAB AND ANR.

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.D.S.Gandhi, Advocate
for the petitioner.

Mr.Varun Sharma, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.315, dated 04.10.2013, registered under Sections 452/427/506/148/149 IPC at Police Station Civil Lines District Amritsar (Annexure P-1) along with the entire subsequent proceedings on the basis of compromise/affidavit dated 16.09.2014.

This Court vide order dated 22.09.2014 passed the following order:-

*“Notice of motion to the Advocate General,
Punjab and respondent No.2, for 08.12.2014.*

*Parties will be at liberty to move
application before the Illaqa Magistrate/trial Court to
get their statements recorded with regard to
genuineness of compromise. On doing so, the Illaqa
Magistrate/trial Court will record their statements with
regard to the compromise on the date already fixed or
some other date to be fixed by it and submit report to
this Court by the next date by specifically stating*

whether the compromise is genuine and also state about the status/stage of the case. Learned Court shall also mention whether any of the accused is proclaimed offender or quashing sought is by all the accused.”

In pursuance to the order passed by this Court, both the parties appeared before the Chief Judicial Magistrate, Amritsar and got their statements recorded respectively. The Chief Judicial Magistrate also recorded his satisfaction with regard to the genuineness of the compromise in question and has submitted report dated 03.12.2014 in this Court.

Since, both the parties are not at issue and have amicably settled their grievances. In view of judgment **“Kulwinder Singh Vs. State of Punjab 2007(3) RCR (Criminal) 1052”**, FIR No.315, dated 04.10.2013, registered under Sections 452/427/506/148/149 IPC at Police Station Civil Lines District Amritsar (Annexure P-1) is ordered to be quashed along with entire subsequent proceedings, if any, undertaking in pursuance thereof.

Disposed of.

(RAJ MOHAN SINGH)
JUDGE

March 17, 2015
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