

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

287

CRM-M-13195-2017.

Date of Decision: 04.12.2017.

Sarabjit Singh and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rajesh Kapila, Advocate for the petitioners.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 of the Code of Criminal Procedure, prayer has been made for quashing F.I.R. No.28 dated 28.02.2017 registered under Sections 279, 323, 427, 379-B read with Section 34 of the Indian Penal Code, Section 3(1)(d) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 25/54/59 of the Arms Act, at Police Station Kulgarhi, District Ferozepur, on the basis of compromise dated 25.03.2017 (Annexure-P3).

On presentation of the petition, vide order dated 20.04.2017 passed by a co-ordinate Bench of this Court, the parties were directed to appear before the trial Court/Illaq Magistrate within 15 days for recording their statements qua compromise with a direction to the trial Court/Illaq Magistrate to furnish a report regarding veracity thereof, if any, between the parties.

Consequently, the parties had appeared before the Judicial Magistrate Ist Class, Ferozepur and got recorded their statements. Report from the concerned Magistrate has been received vide letter No.549 dated 18.09.2017 duly forwarded by learned District and Sessions Judge, Ferozepur vide letter No.9054/CB dated 19.09.2017.

According to the report of Judicial Magistrate Ist Class, Ferozepur, the compromise between the parties is out of their free will.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, the present petition is accepted and the aforesaid F.I.R. No.28, is quashed qua the petitioners, subject to depositing costs of ₹10,000/- by the petitioners with the Punjab Legal Services Authority, Chandigarh within one week.

The Registry is directed to report whether the cost is deposited by the petitioners or not.

(RAMENDRA JAIN)
JUDGE

04.12.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No