

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16667-2017

Date of decision: 26.10.2017

Pawan Kumar and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Abhishek Kaushik, Advocate for
Mr. DD Sharma, Advocate for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. SS Kainth, Advocate for
Mr. Chandan DHINGA, for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing cross-case registered vide Rapat No. 29 dated 04.11.2013 (Annexure P-1) in FIR No. 199 dated 04.11.2013, under Sections 323, 341, 427, 148 and 149 IPC (Section 458 IPC added later on) at Police Station Lalru, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom, on the basis of compromise dated 03.03.2017 (Annexure P-2) effected between the parties.

2. Vide order dated 10.05.2017, parties were directed to appear before the trial Court, to get their statements recorded for compromise with a direction to the trial Court to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate

Ist Class, Dera Bassi and got recorded their statements qua compromise. Report from the Judicial Magistrate Ist Class, Dera Bassi, vide letter No. 183 dated 24.05.2017, duly forwarded by learned District and Sessions Judge, SAS Nagar, vide Endst. No. 4879 dated 30.05.2017, has been received. According to the report of the learned Judicial Magistrate Ist Class, Dera Bassi, the compromise between the parties is genuine, voluntary and without any coercion or undue influence.

4. 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 petition is accepted and the aforesaid cross-case registered vide Rapat No. 29 dated 04.11.2013 (Annexure P-1) in FIR No. 199 dated 04.11.2013 and all subsequent proceedings arising therefrom, qua the petitioners, is quashed.

October 26, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No