

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2639-2017

Date of decision: 21.12.2017

Jaswinder Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Paras Talwar, Advocate for the petitioners.

Mr. AS Sandhu, Addl. AG, Punjab.

Mr. Deepanshu Mehta, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 30 dated 06.05.2011 (Annexure P-1) registered under Sections 381, 465, 471 and 120-B IPC at Police Station Phase XI, Mohali and all subsequent proceedings arising therefrom, on the basis of compromise dated 23.09.2015 (Annexure P-2) effected between the parties.

2. Learned counsel of the petitioners has filed a photocopy of receipt No. 919896 dated 14.12.2017 with regard to deposit of ₹ 2000/- as costs duly attested by petitioner No. 1-Jaswinder Kaur, in compliance of the order dated 12.12.2017 of this Court. The same is taken on record. Office to tag the same at the appropriate place.

3. Vide order dated 31.07.2017, parties were directed to appear before the Illaqa Magistrate/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. Further, vide order date 12.12.2017, one more opportunity was granted to the parties to appear before the trial Court for the said purpose.

4. Consequently, parties appeared before the Additional Chief Judicial Magistrate, SAS Nagar (Mohali) and got recorded their statements qua compromise on 14.12.2017. Report from the Additional Chief Judicial Magistrate, SAS Nagar (Mohali) vide letter No. 266 dated 14.12.2017, duly forwarded by learned District and Sessions Judge, SAS Nagar (Mohali), vide Endst. No. 12669 dated 15.12.2017, has been received. According to the report of the learned Additional Chief Judicial Magistrate, SAS Nagar (Mohali), the compromise between the parties seems to be genuine and without any pressure or coercion. It is further reported that cost of ₹ 2000/- in terms of the order dated 12.12.2017 of this Court, has been deposited by the petitioners with the District Legal Services Authority, Mohali.

5. 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 allowed and the aforesaid FIR No. 30 dated 06.05.2011 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners, namely; Jaswinder Kaur, Gaurav Chaudhary and Ram Kumar, is quashed, subject to depositing costs of ₹ 10,000/- by the petitioners with the Punjab Legal Services Authority, Chandigarh within one week, failing which this petition shall be deemed to be dismissed.

List on 11.01.2018 for production of receipt regarding deposit of costs.

December 21, 2017

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No