

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-28416-2017

Date of decision: 08.09.2017

Jaswinder Singh @ Jassa and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Vivek Sharma Vashisht, Advocate for the petitioners.

Mr. Rana Harjasdeep Singh, AAG, Punjab.

Mr. HS Kaler, 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 the order dated 01.07.2017 (Annexure P-3) passed by the learned Judicial Magistrate Ist Class, Hoshiarpur as well as FIR No. 43 dated 11.03.2016 (Annexure P-1) registered under Sections 323 and 324 IPC at Police Station Mehtiana, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 22.07.2017 (Annexure P-4) effected between the parties.

2. Mr. HS Kaler, Advocate has filed Power of Attorney on behalf of respondent No. 2 in Court today, which is taken on record. Vide order dated 04.08.2017, parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded for compromise with a direction to the trial Court to furnish a report qua veracity of the compromise.

Consequently, parties appeared before the Judicial Magistrate

Ist Class, Hoshiarpur and got recorded their statements qua compromise. Report from the concerned Magistrate vide covering letter No. 133 dated 24.08.2017, duly forwarded by learned District and Sessions Judge, Hoshiarpur, vide letter No. 17686 dated 25.08.2017 has also been received. According to the report of the learned Judicial Magistrate Ist Class, Hoshiarpur, the compromise between the parties is voluntary, genuine and without any pressure.

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 order dated 01.07.2017 (Annexure P-3) as well as FIR No. 43 dated 11.03.2016 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners, is quashed.

September 08, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No