

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

257

CRM-M-34520-2017.

Date of Decision: 06.12.2017.

Sukhpal Singh @ Pal Singh

....Petitioner.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Lakhvinder Singh, Advocate for the petitioner.

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 DDR No.30 dated 26.08.2006 under Sections 326, 324, 323, 148 and 149 of the Indian Penal Code (for short, 'IPC') in case F.I.R. No.118 dated 26.08.2006 registered under Sections 323 and 324 read with Section 34 of the Indian Penal Code, at Police Station Nihalsinghwala, District Moga, on the basis of compromise dated 05.08.2017 (Annexure-P2).

On presentation of the petition, vide order dated 18.09.2017 passed by a co-ordinate Bench of this Court and order dated 10.11.2017 passed by this Court, the parties were directed to appear before the trial Court/Illaq Magistrate, 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 Sub Divisional Judicial Magistrate, Nihal Singh Wala, on 21.11.2017 and got recorded their statements. Report from the concerned Magistrate has been received vide letter No.1324 dated 29.11.2017 duly forwarded by learned District and Sessions Judge, Moga vide Endst. No.6238/EB dated 01.12.2017.

According to the report of Sub Divisional Judicial Magistrate, Nihal Singh Wala, the compromise is genuine and not the result of any threat, coercion or undue influence in any manner and this compromise so arrived at between the parties shall not cause any prejudice to the right, title or interest of any other party.

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 DDR No.30 registered in F.I.R. No.118 is quashed qua the petitioner, subject to depositing costs of ₹10,000/- by the petitioner with the Punjab Legal Services Authority, Chandigarh within one week.

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

(RAMENDRA JAIN)
JUDGE

06.12.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No