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

CRM-M-40545 of 2017

Date of decision: December 21, 2017

Jatinder Singh @ Honey and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Prashant Vashisth, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioners seek quashing of FIR No.195 dated 17.08.2017, under Sections 308, 323, 506, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Shimalpuri, Ludhiana.

This Court had made an order on 30.10.2017 asking the Illaqa Magistrate/trial Court to record the statements in view of the proposal for compromise produced before this Court. I have perused the FIR in question carefully and found that both the petitioners had indulged into street-fighting injuring the complainant by encircling him with baseball blows. Obviously, that must have created panic amongst the members of the public. However, there is prayer for compromise qua the petitioners only. Since the complainant has decided to turn hostile to the prosecution case by filing the compromise and since the statement recorded by the Illaqa Magistrate

also shows that he does not want to support the prosecution case, I think compounding should be allowed. However, since the petitioners are responsible in disturbing the peace and tranquility, both are required to deposit non-refundable amount of ₹7,000/- each with the office of Commissioner of Police, Ludhiana payable to the State of Punjab, within a period of 4 weeks from today failing which the present order of compounding order shall come to an end.

In that view of the matter, this petition is allowed. FIR No.195 dated 17.08.2017, under Sections 308, 323, 506, 148, 149 of IPC, registered at Police Station Shimalpuri, Ludhiana alongwith all consequential proceedings, is quashed by way of compounding/compromise, **qua the petitioners only**, subject to their depositing non-refundable amount of ₹7,000/- each with the office of Commissioner of Police, Ludhiana payable to the State of Punjab, within a period of 4 weeks from today failing which the present order of compounding order shall come to an end.

(A.B. CHAUDHARI)
JUDGE

December 21, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No