

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

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CRM-M-43965-2016

Date of Decision: 20.12.2017.

Baldev Singh and another

....Petitioners.

Versus

Jaswant Singh

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Surinder Garg, Advocate, for the petitioners.
Mr. Kashmir Singh, Advocate, for
Mr. Balwinder Singh, Advocate for the respondent.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 of the Code of Criminal Procedure, prayer has been made for quashing criminal complaint No.064/2 dated 19.08.2011 titled as 'Jaswant Singh vs. Baldev Singh and another' filed under Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act') and under Section 294 of the Indian Penal Code as well as order dated 06.06.2014 summoning the petitioners under Section 3 of the Act, alongwith subsequent proceedings thereto, pending in the Court of Additional Sessions Judge (Special Court), Ludhiana, on the basis of compromise dated 18.11.2016 (Annexure-P3).

On presentation of the petition, vide order dated 09.12.2016 passed by a co-ordinate Bench of this Court, the parties were directed to appear before the trial Court within 15 days for recording their statements qua compromise with a direction to the trial Court to furnish a report regarding veracity thereof, if any, between the parties.

However, the parties could not appear before the trial Court and vide order dated 18.01.2017 on an application (CRM No.773 of 2017), another opportunity was granted to the parties by extending 15 days more time to appear before the trial Court to get their statements recorded.

Consequently, the parties had appeared before the Additional District and Sessions Judge, Ludhiana, on 23.01.2017 and got recorded their statements. Report from the concerned Judge has been received vide letter No.164 dated 24.01.2017 duly forwarded by learned District and Sessions Judge, Ludhiana vide letter No.1164/EC dated 02.02.2017.

According to the report of Additional District and Sessions Judge, Ludhiana, the parties have got their statements qua compromise recorded out of free will and volition and without pressure from any corner.

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 criminal complaint No.064/2 as well as summoning order dated 06.06.2014, alongwith subsequent proceedings thereto, pending in the Court of Additional Sessions Judge (Special Court), Ludhiana, are quashed qua the petitioners, 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 10.01.2018 for production of receipt regarding deposit of costs.

(RAMENDRA JAIN)
JUDGE

20.12.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No