

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-12813-2018

Date of decision: 27.08.2018

Gurpreet Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Chanan Singh , Advocate for the petitioners.

Mr. AS Gill, DAG, Punjab.

Mr. GS Verma, Advocate for respondents No. 2 to 4.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 91 dated 03.04.2017 (Annexure P-2) registered under Sections 452, 324, 323, 148 and 149 IPC at Police Station Dharmkot, District Moga, in which subsequently offence under Section 452 IPC was reduced to 450 IPC and all subsequent proceedings arising therefrom, on the basis of compromise Annexure P-1, effected between the parties.

2. Vide order dated 04.07.2018, the parties were directed to appear before the trial Court/Illaq Magistrate within a week, to get their statements recorded for compromise with a direction to the trial Court/Illaq Magistrate, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the learned Additional District and Sessions Judge, Moga and got recorded their statements qua

compromise on 09.07.2018. Report from the learned Additional District and Sessions Judge, Moga, vide letter No. 223 dated 24.07.2018 duly forwarded by the Incharge District and Sessions Judge, Moga vide Endst. No. 3551/EB dated 26.07.2018 has been received. According to the report of learned Additional District and Sessions Judge, Moga, the compromise effected between the parties is without any inducement, threat, promise, undue pressure, coercion, fear, undue influence and out of their free will.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony and peace in relations between the parties, this petition is allowed and the aforesaid, FIR No. 91 dated 03.04.2017 (Annexure P-2) and all subsequent proceedings arising therefrom, qua the petitioners are quashed, subject to payment of costs of ₹10,000/-, out of which ₹8,000/- shall be deposited with the following account:-

Account details:-	Chief Minister's Distress Relief Fund.
Account Number :-	67319948232
Bank:-	State Bank of India.
Branch:-	City Branch, Thiruvananthapuram
IFSC:-	SBIN0070028
PAN:-	AAAGD0584M
Account Type:-	Savings
SWIFT Code:	SBININBBT08

and ₹2,000/- with the Bar Council of Punjab and Haryana, within 10 days from today, failing which this petition shall be deemed to be dismissed.

5. List on 12.09.2018, for production of receipts regarding deposit of costs.

August 27, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No