

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13054-2018

Date of decision: 19.09.2018

Mahender Singh @ Mahender Sharma

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rishav Jain, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Aman Dhir, 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 FIR No. 70 dated 22.09.2015 (Annexure P-1) registered under Sections 279, 337, 338, 304-A, 468, 471 and 420 IPC at Police Station Khanauri, District Sangrur and all subsequent proceedings arising therefrom, on the basis of compromise dated 12.03.2018 (Annexure P-2), effected between the parties.

2. Vide order dated 13.08.2018, the parties were directed to appear before the trial Court/Illaq Magistrate within two weeks, 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 Sub Divisional Judicial Magistrate, Moonak and got recorded their statements qua

Magistrate, Moonak, vide letter No. 337 dated 30.08.2018, duly forwarded by the District and Sessions Judge, Sangrur, vide Endst. No. 5937/EB dated 31.08.2018, has been received. According to the report of the Sub Divisional Judicial Magistrate, Moonak, the matter has been voluntarily compromised between the parties with the free consent of complainant without any pressure or undue influence and the same is genuine.

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. 70 dated 22.09.2015 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner are quashed, subject to payment of costs of ₹10,000/-, out of which ₹4,000/- shall be deposited with the Bar Association, Punjab and Haryana High Court, Chandigarh; ₹ 1,000/- with the Bar Council of Punjab and Haryana and ₹5,000/- with the High Court Legal Services Authority, within a period of two weeks' from today, failing which this petition shall be deemed to be dismissed.

5. List on 26.10.2018, for production of receipts regarding deposit of costs.

September 19, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No