

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

234

CRM-M-13814-2017

Date of decision: 10.01.2018

Lucky alias Arun Dandey and others

...PETITIONERS

VERSUS

State of Punjab and another

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Lakhwinder S. Mann, Advocate,
for the petitioners.

Ms. Dhruv Dayal, Sr. Deputy Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No. 7 dated 09.01.2017 registered under Sections 324, 148, 149 IPC, (Section 326 added later on) Police Station Nakodar, District Jalandhar Rural and all consequent proceedings arising therefrom in the light of the compromise dated 27.03.2017 entered into between the petitioners and respondent No. 2-Gajra.

On 24.04.2017, when the case came up for hearing, the following order was passed:-

“ Notice of motion.

On asking of the Court, Mr. J.S.Brar, Asstt. Advocate General, Punjab puts in appearance and accepts notice on behalf of respondent No. 1-State. A copy of the paper book be

supplied to him.

Mr. B.S.Randhawa, Advocate, has put in appearance on his own on behalf of respondent No. 2 and filed his Power of Attorney today in the Court. Same is taken on record.

In the light of contentions that the parties have since then effected compromise, they are directed to put in appearance before the Illaqa Magistrate/Concerned Court, Police Station Nakodar, District Jalandhar Rural within 15 days from today to record their statements and the Illaqa Magistrate/concerned Court shall make report as to its satisfaction and submit it back before the next date of hearing. The Magistrate shall also intimate if any of the parties to this petition has been declared as Proclaimed Offender.

List on 10th September, 2017.”

In compliance with the said order, Sub-Divisional Judicial Magistrate, Nakodar has submitted a report dated 03.05.2017, according to which, the parties have appeared before the Court and made a statement to the effect that they have arrived at a voluntary compromise without any fear, pressure or coercion. He further informed that the complainant is not interested in pursuing the case any further. The Court has further informed that none of the accused is a proclaimed offender. The Court has further expressed his satisfaction with regard to the voluntary compromise entered into between the parties dated 27.03.2017.

In the light of the above and keeping in view the fact that the offence involved is primarily between both the parties and except for the complainant, there is no other injured, the present petition is allowed. FIR

No. 7 dated 09.01.2017 registered under Sections 324, 148, 149 IPC,
(Section 326 added later on) Police Station Nakodar, District Jalandhar
Rural and all consequent proceedings arising therefrom are hereby quashed.

January 08, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No