

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15786-2018

Date of decision: 03.08.2018

Rakesh Gupta and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Naveen Bawa, Advocate for the petitioners.

Mr. AS Gill, DAG, Punjab.

Mr. Tanmoy Gupta, 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. 116 dated 21.05.2017 (Annexure P-1) registered under Sections 323, 506 and 295-A IPC at Police Station Division No. 7, District Ludhiana and all subsequent proceedings arising therefrom, on the basis of compromise dated 04.04.2018 (Annexure P-2) effected between the parties.

2. Vide orders dated 19.04.2018, parties were directed to appear before the Illaqa Magistrate within one month, to get their statements recorded for compromise with a direction to the Illaqa Magistrate, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Ludhiana and got recorded their statements qua compromise on 20.05.2018. Report from the Judicial Magistrate Ist Class, Ludhiana, vide

letter No. 311 dated 17.07.2018, duly forwarded by learned District and

Sessions Judge, Ludhiana, vide Letter No. 613/EC dated Ludhiana, the 20.07.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Ludhiana, the compromise effected between the parties is genuine and without any pressure or undue influence.

4. 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, this petition is allowed and the aforesaid FIR No. 116 dated 21.05.2017 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners is quashed, subject to payment of costs of ₹10,000/-, out of which ₹6,000/- shall be deposited with the Punjab State Legal Services Authority and ₹4,000/- with the Bar Council of Punjab and Haryana, within two weeks from today, failing which this petition shall be deemed to be dismissed.

5. List on 30.08.2018, for production of receipts regarding deposit of costs.

August 03, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No