

CRM-M-15868 of 2018

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

CRM-M-15868 of 2018
Date of Decision: 05.09.2018

Mustak Masih and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. G.S. Sirphikhi, Advocate, for the petitioners.
Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No.116 dated 03.10.2017 (Annexure P-1) registered under Sections 452, 326, 323, 324, 148 and 149 IPC at Police Station Sadar, Police District Batala, District Gurdaspur and all subsequent proceedings arising therefrom, on the basis of compromise dated 26.03.2018 (Annexure P-2).

Pursuant to order dated 19.04.2018 of this Court, the parties appeared before the trial Court/Illaq Magistrate on 18.05.2018 to get their statements recorded. Learned Judicial Magistrate Ist Class, Batala, has submitted his report vide letter bearing No.635, dated 27.08.2018 duly forwarded by learned District and Sessions Judge, Gurdaspur, vide Endst. No.16160/RKT, dated 28.08.2018.

According to the report, learned Judicial Magistrate Ist Class, Batala, is satisfied that compromise entered into between the parties is valid and genuine and it is voluntarily effected between the parties with their free consent and without any pressure, threat, coercion or undue influence from

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any quarter. None of the persons involved in this case/dispute has been declared as proclaimed offender.

Considering the report of learned Judicial Magistrate Ist Class, Batala, dated 27.08.2018 and the fact that the compromise will bring peace and harmony in relations between the parties, aforesaid FIR No.116 dated 03.10.2017 (Annexure P-1) registered under Sections 452, 326, 323, 324, 148 and 149 IPC at Police Station Sadar, Police District Batala, District Gurdaspur, and all subsequent proceedings arising therefrom, 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 High Court within one week from today, failing which this petition shall be deemed to be dismissed.

Disposed of accordingly.

List on 28.9.2018, for production of receipt with regard to deposit of aforesaid costs.

September 05, 2018
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No