

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16784-2018

Date of decision: 08.08.2018

Dr. Vivek Sunda and another

..... Petitioners

Versus

State of UT Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. RS Bains, Advocate for the petitioners.

Mr. Kuldeep Tiwari, Addl. PP. for U.T. Chandigarh.

Mr. Sanjeev Kumar, Advocate for

Mr. JS Dhaliwal, 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. 94 dated 01.04.2018 (Annexure P-1) registered under Sections 365, 394 and 506 read with Section 34 IPC at Police Station Industrial Area, Chandigarh and all subsequent proceedings arising therefrom, on the basis of compromise dated 20.04.2018 (Annexure P-3) effected between the parties.

2. Vide order dated 23.04.2018, the 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

18.05.2018. Report from the Judicial Magistrate Ist Class, Chandigarh, vide letter No. 134 dated 22.05.2018, duly forwarded by learned District and Sessions Judge, Chandigarh, vide Endst. No. DSJ-EC-2018/6023 dated 22.05.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Chandigarh, the compromise effected between the parties is out of their free will 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 in relations between the parties, this petition is allowed and the aforesaid FIR No. 94 dated 01.04.2018 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners are quashed, subject to payment of costs of ₹10,000/-, out of which ₹6,000/- shall be deposited with the State Legal Services Authority, U.T. Chandigarh 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 04.09.2018, for production of receipts regarding deposit of costs.

August 08, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No