

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16855-2018 (O&M)

Date of decision: 14.11.2018

Gurjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Shivender Pal Singh, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Nitin Rahtore, Advocate for respondents No. 2 and 3.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 81 dated 23.10.2010 (Annexure P-1) registered under Sections 324 and 341 read with Section 34 IPC at police Station Kulgarhi, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 03.11.2010 (Annexure P-2), effected between the parties.

Vide orders dated 24.04.2018 and 20.09.2018, the parties were directed to appear before the trial Court/Illaq Magistrate, 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.

Consequently, parties appeared before the Judicial Magistrate

Ist Class, Ferozepur and got recorded their statements qua compromise on 15.05.2018 and 21.09.2018. Reports from the Judicial Magistrate Ist Class, Ferozepur, vide letter Nos. 1207 dated 18.05.2018 and 1413 dated 05.10.2018, duly forwarded by the District and Sessions Judge, Ferozepur, vide letter Nos. 5648/EB dated 22.05.2018 and 11458/EB dated 06.10.2018 respectively, have been received. According to the reports of the Judicial Magistrate Ist Class, Ferozepur, the compromise effected between the parties is genuine, voluntary and without any inducement, threat or pressure and valid.

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. 81 dated 23.10.2010 (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 ₹3,000/- shall be deposited with the Bar Association, Punjab and Haryana High Court, Chandigarh and ₹7,000/- 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.

List on 15.12.2018, for production of receipts regarding deposit of costs.

November 14, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No