

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17058-2018 (O&M)

Date of decision: 26.07.2018

Davinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Mikhail Kad, Advocate for
Mr. Ramnish Puri, Advocate, for petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Ms. Vijay Lakshmi, 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. 50 dated 03.05.2016 (Annexure P-1) under Sections 353 and 186 IPC at Police Station Kot Isah Khan, District Moga and all subsequent proceedings arising therefrom, on the basis of compromise dated 07.03.2018 (Annexure P-2) effected between the parties.

2. Vide orders dated 25.04.2018, parties were directed to appear before the trial Court, to get their statements recorded for compromise with a direction to the trial Court, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Moga and got recorded their statements qua compromise on 21.05.2018. Report from the Judicial Magistrate Ist Class, Moga, vide letter No. 127 dated 24.05.2018, duly forwarded by learned District and Sessions

Judge, Moga, vide Endst No. 2439/EB dated 25.05.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Moga, the compromise is without any pressure or coercion, volunteer and is genuine one.

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. 50 dated 03.05.2016 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner 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 20.08.2018, for production of receipts regarding deposit of costs.

July 26, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No