

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17090-2018 (O&M)

Date of decision: 26.07.2018

Shiv Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. AS Syan, Advocate, for petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Mr. RS Rana, Advocate for respondents No. 2 and 3.

RAMENDRA JAIN, J. (ORAL)

1. Vakalatnama filed on behalf of respondents No. 2 and 3, is taken on record. Office to tag the same at the appropriate place.

2. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 16 dated 16.01.2018 (Annexure P-1) under Sections 452, 427 and 506 read with Section 34 IPC at Police Station Sadar, Amritsar, District Amritsar and all subsequent proceedings arising therefrom, on the basis of compromise dated 15.02.2018 (Annexure P-2, Colly) effected between the parties.

3. Vide orders dated 25.04.2018, 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.

4. Consequently, parties appeared before the Additional Chief Judicial Magistrate, Amritsar and got recorded their statements qua

compromise on 03.05.2018. Report from the Additional Chief Judicial Magistrate, Amritsar vide letter No. 646 dated 07.05.2018, duly forwarded by learned District and Sessions Judge, Amritsar, vide Endst No. 4311R dated 09.05.2018, has been received. According to the report of the learned Additional Chief Judicial Magistrate, Amritsar, the parties have made an amicable settlement without any pressure, undue influence or coercion.

5. 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. 16 dated 16.01.2018 (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.

6. 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