

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-1754-2018

Date of decision: 12.07.2018

Naveen Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Harkaran Singh, Advocate for
Mr. BS Bhalla, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Nitin Rathour, Advocate for
Mr. Shubham Goyal, Advocate 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. 16 dated 30.01.2017 (Annexure P-1) registered under Section 127-A of the Representation of People Act, 1951 and 1988 at Police Station City South Moga, District Moga and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.03.2017 (Annexure P-2) effected between the parties.

2. Learned State counsel has filed reply by way of affidavit of Sh. Kesar Singh, PPS, Deputy Superintendent of Police (City), Moga, District Moga, in Court today. The same is taken on record.

3. Vide order dated 17.01.2018, parties were directed to appear before the trial Court/Illaq Magistrate on 15.02.2018, to get their statements recorded for compromise with a direction to the trial Court to

furnish a report qua veracity of the compromise.

4. Consequently, parties appeared before the Chief Judicial Magistrate, Moga and got recorded their statements qua compromise on 15.02.2018. Report from the Chief Judicial Magistrate, Moga, vide letter No. 140 dated 16.02.2018, duly forwarded by learned District and Sessions Judge, Moga, vide endst. No. 691/EB dated 17.02.2018, has been received. According to the report of the learned Chief Judicial Magistrate, Moga, the compromise effected between the parties is genuine and with their free will and without any coercion or undue influence from any corner and the same has been voluntarily made by the parties.

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 30.01.2017 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners 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 12, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No