

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARHSr. No.121**CRM-M-1824-2018****Date of decision : 17.01.2018**

Manmohan Singh

..... Petitioner

VERSUS

State of U.T. Chandigarh

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. H.S. Brar, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

This petition under Section 482 Cr.P.C. has been filed for quashing of order dated 17.04.2010 (Annexure P-8), passed by JMIC, Chandigarh, whereby the petitioner has been declared as proclaimed offender, in FIR No.436 dated 14.12.2009, under Sections 323, 506/34 IPC, registered at Police Station Manimajra, Chandigarh. It is contended that on the basis of compromise dated 20.01.2013 (Annexure P-3) between the parties, FIR ibid against co-accused stood quashed vide order dated 28.08.2015, passed in CRM-M-28030-2013 (O&M).

2. Learned counsel relies upon the judgment of the Hon'ble Supreme Court of India in '**Gian Singh Vs. State of Punjab, 2012(4) RCR (CrI.) 543**', to contend that the offences are compoundable and on the basis of compromise the trial/Illaq Judicial Magistrate himself can compound the same, even if, the petitioner is a proclaimed offender.

3. In view of the above, I deem it appropriate to dispose of this petition with a direction to the petitioner to surrender before the Illaq Judicial Magistrate on 30.01.2018 at 10.00 a.m. On his doing so, the Court of the learned Illaq Judicial Magistrate, concerned at Chandigarh shall release him on bail to its satisfaction and thereafter, shall record the statements of the

parties regarding the compromise in exercise of power under Section 320(i)
Cr.P.C. allowing composition of offences, in accordance with law.

(SUDHIR MITTAL)
JUDGE

January 17, 2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No