

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18738-2018 (O&M)

Date of decision: 05.10.2018

Bhupinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Ajiteshwar Singh, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

Mr. HS Bhatia, 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. 85 dated 02.08.2012 (Annexure P-2) registered under Sections 120-B and 420 IPC at Police Station Garhshankar, District Hoshiarpur and all subsequent proceedings arising therefrom including order dated 14.09.2017 (Annexure P-9) whereby the petitioner was declared as proclaimed absconder, on the basis of compromise dated 14.03.2018 (Annexure P-11), effected between the parties.

2. Vide order dated 16.05.2018, the parties were directed to appear before the Chief Judicial Magistrate/trial Court at Garhshankar on 29.05.2018, to get their statements recorded for compromise with a

direction to the Chief Judicial Magistrate/trial Court at Garhshankar, to

furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Sub Divisional Judicial Magistrate, Garhshankar and got recorded their statements qua compromise on 21.07.2018. Report from the Sub Divisional Judicial Magistrate, Garhshankar, vide letter No. 201 dated 31.07.2018, duly forwarded by the District and Sessions Judge, Hoshiarpur, vide letter No. 25740 dated 02.08.2018, has been received. According to the report of the Sub Divisional Judicial Magistrate, Garhshankar, the compromise arrived at between the parties seems to be genuine and valid. It is further reported that co-accused of the petitioner, namely; Sukbir Singh S/o Dharam Singh has been declared proclaimed offender vide order dated 10.06.2013 and the compromise Annexure P-11 has been effected in between respondent No. 2- Gian Kaur and petitioner-Bhupinder Singh only.

4. 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. 85 dated 02.08.2012 (Annexure P-2) registered under Sections 120-B and 420 IPC at Police Station Garhshankar, District Hoshiarpur and all subsequent proceedings arising therefrom including order dated 14.09.2017 (Annexure P-9) whereby the petitioner was declared as proclaimed absconder, qua the petitioner are quashed, subject to payment of costs of ₹10,000/-, out of which ₹4,000/- shall be deposited with the Bar Association, Punjab and Haryana High Court, Chandigarh; ₹ 1,000/- with the Bar Council of Punjab and Haryana and ₹5,000/- with the High Court

which this petition shall be deemed to be dismissed.

5. List on 13.10.2018, for production of receipts regarding deposit of costs.

October 05, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No