

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No. 17846 of 2017
Date of Decision:-25.10.2018**

Iqbal and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Vikram Preet Arora, Advocate
for the petitioners.

Mr. Harpreet Multani, AAG Punjab.

RAMENDRA JAIN J.(Oral)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 56 dated 02.4.2017, under Sections 323 and 341 read with Section 34 IPC, registered at Police Station Kharar, District SAS Nagar (Mohali) and all subsequent proceedings arising therefrom, on the basis of compromise dated 03.4.2017 (Annexure P-2), effected between the parties.

2. Vide order dated 04.09.2017, the 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.

3. Consequently, complainant and petitioner No.2 appeared before the Judicial Magistrate 1st Class, Kharar and got recorded their statements qua compromise on 13.9.2017. Report from the Judicial Magistrate 1st Class, Kharar, vide letter No. 353 dated 15.9.2017, duly forwarded by the District and Sessions Judge, SAS Nagar, vide Endst. No. 9451 dated 16.9.2017, has been received. According to the report of the Judicial Magistrate 1st Class, Kharar, petitioner No.1-Iqbal did not appear for recording the statement with regard to the compromise effected between the parties and therefore, the report regarding compromise the matter between complainant and petitioner No.1 could not be made. However, it is reported that the compromise arrived at between complainant and petitioner No.2-Ameen is without any external pressure, coercion or force and is a valid compromise.

4. Considering the report of the Judicial Magistrate 1st Class, Kharar, this petition qua petitioner No.1-Iqbal is dismissed. 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 qua petitioner No.2-Ameen and the aforesaid, FIR No. 56 dated 02.4.2017(Annexure P-1) and all subsequent proceedings arising therefrom, qua petitioner No.2-Ameen 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 Legal Services Authority, within a period of two weeks' from

today, failing which this petition shall be deemed to be dismissed.

5. List on 26.11.2018, for production of receipts regarding deposit of costs.

October 25, 2018
Vijay Asija

(**RAMENDRA JAIN**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No