

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19157-2018

Date of decision: 09.08.2018

Sanjeev Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Mandeep Kaushik, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Ashok Kumar, Advocate for respondents No. 2 to 5.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 338 dated 17.12.2015 (Annexure P-1) registered under Sections 419, 420, 467, 468, 471, 448, 511 and 120-B IPC at Police Station Salem Tabri, District Ludhiana and all subsequent proceedings arising therefrom, on the basis of compromise Annexure P-2, effected between the parties.

2. Vide order dated 08.05.2018, the parties were directed to appear before the Area Magistrate up to 30.05.2018, to get their statements recorded for compromise with a direction to the Area Magistrate, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Ludhiana and got recorded their statements qua compromise on

17.05.2018. Report from the Judicial Magistrate Ist Class, Ludhaina, vide letter No. 279 dated 25th May, 2018, duly forwarded by learned District and Sessions Judge, Ludhiana, vide letter No. 492/EC dated 30.05.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Ludhaina, the compromise arrived at between the parties is genuine, without any pressure or coercion.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring peace and harmony in relations between the parties, this petition is allowed and the aforesaid, FIR No. 338 dated 17.12.2015 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner are 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.

5. List on 05.09.2018, for production of receipts regarding deposit of costs.

August 09, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No