

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19630-2018

Date of decision: 30.07.2018

Kulwinder Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rajesh Gupta, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Gulzar Mohd., Advocate for respondents No. 2 and 3.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 72 dated 26.05.2012 (Annexure P-1) registered under Sections 452, 323, 324 and 506 read with Section 34 IPC at Police Station Sahnewal, District Ludhiana and all subsequent proceedings arising therefrom, on the basis of compromise dated 12.02.2018 (Annexure P-2) effected between the parties.

2. Vide orders dated 09.05.2018, parties were directed to appear before the trial Court/Illaq Magistrate on 30.05.2018, 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, parties appeared before the Judicial Magistrate Ist Class, Ludhiana and got recorded their statements qua compromise on 30.05.2018. Report from the Judicial Magistrate Ist Class, Ludhiana, vide

Sessions Judge, Ludhiana, vide letter No. 500/EC dated 01.06.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Ludhiana, the compromise effected between petitioner No. 1-Kulwinder Singh and wife of complainant-Ravinder Singh (since deceased) namely; Baljit Kaur, is genuine, voluntarily and valid. It is further reported that petitioner No. 2-Rupinder Singh, remained absent and was declared proclaimed person vide order dated 02.11.2016.

4. 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. 72 dated 26.05.2012 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner No. 1-Kulwinder Singh, only 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. However, the instant petition qua petitioner No. 2-Rupinder Singh, is dismissed.

5. List on 23.08.2018, for production of receipts regarding deposit of costs.

July 30, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No