

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20381-2017

Date of decision: 20.08.2018

Pardeep Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. BPS Dhindsa, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. KBS Mann, Advocate for the 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 DDR No. 40 dated 09.07.2016 (Annexure P-1) (cross case in FIR No. 92 dated 10.07.2016), registered under Section 323 read with Section 34 IPC at Police Station Lambi, Tehsil Malout, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom, on the basis of compromise dated 05.05.2017 (Annexure P-2), effected between the parties.

2. Vide order dated 02.06.2017, the parties were directed to appear before the trial Court/Illaq Magistrate on 09.06.2017, 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 Sub Divisional

Judicial Magistrate, Malout and got recorded their statements qua compromise on 14.06.2017. Report from the Sub Divisional Judicial Magistrate, Malout, vide letter No. 234 dated 01.07.2017 duly forwarded by the learned District and Sessions Judge, Sri Muktsar Sahib vide letter No. 1790 dated 03.07.2017 has been received. According to the report of the Sub Divisional Judicial Magistrate, Malout, the compromise effected between the parties is voluntarily and is without any threat, coercion.

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, DDR No. 40 dated 09.07.2016 (Annexure P-1) (cross case in FIR No. 92 dated 10.07.2016) and all subsequent proceedings arising therefrom, qua the petitioners are quashed, subject to payment of costs of ₹10,000/-, out of which ₹8,000/- shall be deposited with the following account:-

Account details:-	Chief Minister's Distress Relief Fund.
Account Number :-	67319948232
Bank:-	State Bank of India.
Branch:-	City Branch, Thiruvananthapuram
IFSC:-	SBIN0070028
PAN:-	AAAGD0584M
Account Type:-	Savings
SWIFT Code:	SBININBBT08

and ₹2,000/- with the Bar Council of Punjab and Haryana, within 10 days from today, failing which this petition shall be deemed to be dismissed.

5. List on 31.08.2018, for production of receipts regarding deposit of costs.

August 20, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No