

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

123

CRM-M-21421-2018

Date of decision: 28.09.2018

Vipan Sabharwal and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Harpreet Kaur, Advocate for
Mr.Navkiran Singh, Advocate for the petitioners.

Mr.Davinder Bir Singh, DAG, Punjab.

Mr.Jagtar Singh, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing DDR No.52 dated 24.04.2018 registered under Section 188, 148 and 149 IPC at police station Division no.2, Jalandhar (Annexure P-2) [cross-case in FIR No.13 dated 01.02.2018 registered under Sections 307, 341, 506, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Division No.2, Jalandhar (Annexure P-1)] and all subsequent proceedings arising therefrom, on the basis of compromise Annexure P-5, effected between the parties.

2. Vide order dated 27.08.2018, 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, parties appeared before the Judicial Magistrate Ist Class, Jalandhar and got recorded their statements qua compromise on 13.09.2018. Report from the Judicial Magistrate Ist Class, Jalandhar, vide

letter No.246/2018, dated 15.09.2018, duly forwarded by the District and Sessions Judge, Amritsar, vide Endst. No.2300G/JRK dated 17.09.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Jalandhar, the compromise arrived at between the parties seems to be genuine and 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 harmony and peace in relations between the parties, this petition is allowed and the aforesaid DDR No.52 dated 24.04.2018 registered under Section 188, 148 and 149 IPC at police station Division no.2, Jalandhar (Annexure P-2) [cross-case in FIR No.13 dated 01.02.2018 registered under Sections 307, 341, 506, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Division No.2, Jalandhar (Annexure P-1)] and all subsequent proceedings arising therefrom, qua the petitioners 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 31.10.2018, for production of receipts regarding deposit of costs.

September 28, 2018

Anjal

(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No