

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22535-2018

Date of decision: 22.10.2018

Manmohan Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Vikram Singh, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Manoj Sharma, 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. 78 dated 04.10.2016 (Annexure P-1) registered under Sections 326, 324, 323, 506, 148 and 149 IPC at Police Station Ramdas, District Amritsar and all subsequent proceedings arising therefrom, on the basis of compromise dated 17.05.2018 (Annexure P-2), effected between the parties.

2. Vide order dated 24.05.2018, the parties were directed to appear before the Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate/, Amritsar on 06.06.2018 to get their statements recorded for compromise with a direction to the Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate/, Amritsar, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Ajnala and got recorded their statements qua compromise on 06.06.2018. Report from the Judicial Magistrate Ist Class, Ajnala, vide letter No. 118 dated 08.06.2018, duly forwarded by the District and Sessions Judge, Amritsar, vide Endst. No. 6511R dated 16.07.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Ajnala, the compromise effected between the parties is bonafide and without any pressure, coercion, undue influence rather made voluntarily.

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, FIR No. 78 dated 04.10.2016 (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 20.11.2018, for production of receipts regarding deposit of costs.

October 22, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No