

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23125-2018

Date of decision: 18.08.2018

Gopal Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Neha Jain, Advocate for
Mr. KS Dadwal, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Ms. Daljot Kaur, Advocate for
Mr. Naresh Kumar, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 61 dated 21.02.2007 (Annexure P-1) registered under Sections 420 and 120-B IPC (Section 497 IPC added later on) at Police Station Sadar, Hoshiarpur, District Hoshiarpur and all subsequent proceedings arising therefrom, on the basis of compromise dated 07.05.2018 (Annexure P-5), effected between the parties.

2. Vide order dated 28.05.2018, the parties were directed to appear before the trial Court/Illaq Magistrate on 10.07.2018, 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, Hoshiarpur and got recorded their statements qua compromise on 10.07.2018. Report from the Judicial Magistrate Ist Class, Hoshiarpur, vide letter No. 8 dated 25.07.2018, duly forwarded by learned District and Sessions Judge, Hoshiarpur, vide letter No. 25321 dated 30.07.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Hoshiarpur, the compromise arrived at between the parties is voluntary and it is recorded without any undue influence or coercion from any quarter and the same is valid/genuine compromise.

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. 61 dated 21.02.2007 (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 ₹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 12.09.2018, for production of receipts regarding deposit of costs.

August 18, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No