

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

124

CRM-M-25637-2018
Date of decision: 28.09.2018

Jasbir Kaur

..... Petitioner

Versus

Bhajan Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Liaqat Ali, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing the order dated 28.04.2014, declaring the petitioner proclaimed offender, passed by Judicial Magistrate Ist Class, SBS Nagar (Annexure P-3) in the complaint case, complaint case no. 285/13 dated 14.11.2008 under Sections 302, 420, 120-B, 148, 149, 201 and 34 IPC (Annexure P-1) and summoning order dated 24.05.2014 (Annexure P-2) and all subsequent proceedings arising therefrom, on the basis of compromise/agreement dated 06.11.2017 (Annexure P-6), effected between the parties.

2. Vide orders dated 02.07.2018 and 01.08.2018, the parties were directed to appear before the trial Court/Illaqa Magistrate, to get their statements recorded for compromise with a direction to the trial Court/Illaqa Magistrate, to furnish a report qua veracity of the

compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar, and got recorded their statements qua compromise on 04.09.2018. Report from the Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar, vide letter No.213 dated 18.09.2018, duly forwarded by the District and Sessions Judge, Amritsar, vide Endst. No.679/DSJ-19A dated 20.09.2018, has been received. According to the report of the Judicial Magistrate Ist Class Shaheed Bhagat Singh Nagar, 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 peace and harmony in relations between the parties, this petition is allowed and the aforesaid complaint no. 285/13 dated 14.11.2008 and all subsequent proceedings arising therefrom, including summoning order dated 24.05.2014 (Annexure P-2) and order dated 28.04.2014(Annexure P-3) declaring the petitioner proclaimed offender, qua the petitioner 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