

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-30127-2018

Date of decision: 28.09.2018

Rinku Singh and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT:Mr. Pankaj Bali, Advocate for the petitioners.

Mr.Yashwinder Singh, DAG, for Haryana.

Mr.Naveen Mandhan, 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.553 dated 16.05.2018 (Annexure P-1) registered under Sections 323, 325, 341, 506, 148 and 149 IPC at Police Station City Karnal and all subsequent proceedings arising therefrom, on the basis of compromise dated 04.07.2018 Annexure P-2, effected between the parties.

2. Vide order dated 19.07.2018, 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.

However, vide another order dated 30.08.2018, the petitioners were

directed to appear before the Chief Judicial Magistrate, Karnal for recording their statements in terms of the order dated 19.07.2018.

3. According to the report received from the Chief Judicial Magistrate, Karnal, vide covering letter dated 243, dated 20.08.2018, complainant-respondents No. 2 and 3 gave their statements with regard to compromise. Statements of respondents Ranjit Singh and Monu recorded to the effect that they have compromised the matter with the petitioners. They have further stated that the compromise is not result of any pressure or coercion in any manner. However, petitioners did not appear before the Court for recording their statements.

4. In view of the totality of the facts and circumstances and since the respondents No. 2 and 3, who are the complainant in this case, have testified before the trial Court that they have no objection in case the FIR in question is quashed against the petitioners, this petition is allowed and the aforesaid FIR No.553 dated 16.05.2018 (Annexure P-1) registered under Sections 323, 325, 341, 506, 148 and 149 IPC at Police Station City Karnal 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