

118 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-3135-2018
Date of decision: 21.09.2018

Hans Raj alias Kalu

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Ashok Kumar Sama, Advocate for the petitioner.
Mr. Harpreet Multani, AAG, Punjab.
Mr. Jagjit Gill, 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. 110 dated 14.10.2017 (Annexure P-1) registered under Sections 304-A, 337, 338 and 427IPC at Police Station Arniwala, District Fazilka and all subsequent proceedings arising therefrom, on the basis of compromise dated 15.12.2017(Annexure P-2), effected between the parties.

2. Vide order dated 20.08.2018, 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 1st Class, Fazilka and got recorded their statements qua compromise on 14.09.2018. Report from the Judicial Magistrate 1st Class, Fazilka, vide letter No. 394 dated 15.09.2018, duly forwarded by the District and Sessions

Judge, Ferozepur, vide Endst. No.10671/EB dated 17.09.2018, has been

received. According to the report of the Judicial Magistrate 1st Class, Fazilka, the matter has been voluntarily compromised between the parties with the free consent of complainant without any pressure or undue influence and the same is genuine.

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. 110 dated 14.10.2017(Annexure P-1) and all subsequent proceedings arising therefrom, 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 three weeks' from today, failing which this petition shall be deemed to be dismissed.

5. List on 22.10.2018, for production of receipts regarding deposit of costs.

September 21, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No