

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32434-2016 (O&M)

Date of decision: 08.08.2018

Balwinder Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Vipin Sharma, Advocate for
Mr. BR Rana-I, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

Mr. KS Saini, Advocate for 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. 116 dated 20.07.2012 (Annexure P-1) registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Kurali, District SAS Nagar, Mohali; charge-sheet dated 09.07.2014 (Annexure P-2) and all subsequent proceedings arising therefrom, on the basis of compromise dated 20.07.2016 (Annexure P-3) effected between the parties.

2. Vide order dated 01.02.2017, the parties were directed to appear before the trial Court on 06.02.2017, to get their statements recorded for compromise with a direction to the trial Court, to furnish a report qua veracity of the compromise. It is pertinent to mention here that on the said

was in custody in some other case. Therefore, vide order dated 22.01.2018, petitioner No. 2 was directed to appear before the trial Court on 02.02.2018, for recording his statement qua compromise.

4. Consequently, parties appeared before the Judicial Magistrate Ist Class, Rupnagar and got recorded their statements qua compromise. Report from the Judicial Magistrate Ist Class, Rupnagar, vide letter No. 149 dated 12.02.2018, duly forwarded by learned District and Sessions Judge, Rupnagar, vide Endst. No. 1443, Dated, Rupnagar, the 14.02.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Rupnagar, the compromise effected between the parties is without any pressure, with free consent of the parties and the same is genuine and true one.

5. 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 FIR No. 116 dated 20.07.2012 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners is 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.

6. List on 04.09.2018, for production of receipts regarding deposit of costs.

August 08, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No