

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3372-2018

Date of decision: 12.07.2018

Sarabjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Jagatpal Singh Banwait, Advocate for
Mr. Sarju Puri, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Naseem Yadlapati, 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. 112 dated 30.06.2015 (Annexure P-1) registered under Section 420 IPC at Police Station City, SBS Nagar and all subsequent proceedings arising therefrom, on the basis of compromise dated 19.01.2018 (Annexure P-2) effected between the parties.

2. Vakalatnama filed on behalf of respondent No. 2 in Court today, is taken on record. Office to tag the same at the appropriate place. Vide order dated 30.01.2018, parties were directed to appear before the trial Court/Illaq Magistrate on 09.03.2018, to get their statements recorded for compromise with a direction to the trial Court to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Additional Chief Judicial Magistrate, SBS Nagar and got recorded their statements

qua compromise on 09.03.2018. Report from the Additional Chief Judicial Magistrate, SBS Nagar, vide letter No. 153/CJSD/A-21 dated 16.03.2018, has been received. According to the report of the learned Additional Chief Judicial Magistrate, SBS Nagar, the compromise effected between the parties is without any pressure or coercion and the same is genuine and valid.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, this petition is allowed and the aforesaid FIR No. 112 dated 30.06.2015 (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.

5. List on 20.08.2018 for production of receipts regarding deposit of costs.

July 12, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No