

119

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-35583-2018 (O&M)
Date of decision: 25.09.2018**

Gurmeet Singh and others**..... Petitioners****Versus****State of Punjab and another****..... Respondents****CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: Mr. Karan Garg, Advocate
for the petitioners.

Mr. A.S.Gill, DAG, Punjab.

Mr. Mohit Vashishat, 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 of complaint case No. 06 dated 25.01.2010, bearing number COMI/113/2013, filed by respondent No. 2 under Sections 323/325/148/149/504 and 506 of the IPC (Annexure P-1) and all subsequent proceedings arising therefrom, including judgment dated 28.01.2015 on the basis of compromise dated 17.07.2018 (Annexure P-4) effected between the parties.

2. The petitioners were convicted under Sections 148/325/323/506/149 of the IPC and sentenced to undergo rigorous imprisonment maximum for three years vide judgment of conviction and order of sentence dated 28.01.2015.

3. Vide orders dated 18.08.2018, the parties were directed to appear before the trial Court to get their statements recorded for compromise with a direction to the trial Court, to furnish a report qua veracity of the compromise.

4. Consequently, parties appeared before the Judicial Magistrate Ist Class, Samana (Duty) and got recorded their statements qua compromise on 01.09.2018. Report from the Judicial Magistrate Ist Class, Samana (Duty), vide letter No.1538 dated 06.09.2018, duly forwarded by learned District and Sessions Judge, Patiala, vide letter No. 4452, Dated 11.09.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Samana (Duty), the compromise is genuine and it is voluntarily effected between the parties with their free consent and without any pressure, threat, coercion or undue influence from any side.

5. 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 complaint case No. 06 dated 25.01.2010, bearing number COMI/113/2013, filed by respondent No. 2 under Sections 323/325/148/149/504 and 506 of the IPC and all subsequent proceedings arising therefrom, qua the petitioners is quashed, subject to payment of costs of Rs. 10,000/-, out of which Rs. 4,000/- shall be deposited with the Bar Association of Punjab and Haryana, High Court, Rs. 1000/- with the Bar Council of Punjab and Haryana and Rs. 5,000/- with the High Court Legal Services Committee, within three weeks from today, failing which this petition shall be deemed to be dismissed.

6. List on 26.10.2018, for production of receipts regarding deposit of costs.

25th September, 2018

shabha

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No