

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-36464-2018(O&M)

Date of decision: 01.11.2018

Balwinder Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Nitin Rathour, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Original receipt with regard to deposit of ₹ 2000/-, pursuant to the order dated 25.09.2018, has been produced in Court today. The same is taken on record. Office to tag the same at the appropriate place.

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 164 dated 10.08.2016 (Annexure P-1) registered under Section 306 IPC at Police Station City South, Moga as well as order dated 16.05.2017 (Annexure P-2) of the trial Court, declaring petitioner No. 2-Harjit Kaur as proclaimed offender and all subsequent proceedings arising therefrom on the basis of compromise dated 21.04.2018 (Annexure P-3), effected between the parties.

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.

Consequently, parties appeared before the Additional District and Sessions Judge, Moga and got recorded their statements qua compromise on 03.10.2018. Report from the Additional District and Sessions Judge, Moga, vide letter No. 430 dated 15.10.2018 duly forwarded by the District and Sessions Judge, Moga, vide Endst. No. 5039/EB dated 17.10.2018, has been received. According to the report of the Additional District and Sessions Judge, Moga, the compromise effected between the parties is valid and genuine and it is voluntarily effected between the parties is genuine and free from any kind of threat, coercion and undue pressure etc.

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. 164 dated 10.08.2016 (Annexure P-1) registered under Section 306 IPC at Police Station City South, Moga as well as order dated 16.05.2017 (Annexure P-2) of the trial Court declaring petitioner No. 2-Harjit Kaur as proclaimed offender 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 three weeks' from today, failing which this petition shall

be deemed to be dismissed.

List on 01.12.2018, for production of receipts regarding deposit of costs.

November 01, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No