

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35915-2017

Date of decision: 09.08.2018

Sonu Bhau @ Inderjeet Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Sukhdeep Kaur, Advocate for
Ms. Gurjeet Kaur, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 11 dated 14.01.2017 (Annexure P-1) registered under Section 379 read with Section 34 IPC at Police Station Kotwali Patiala, District Patiala and all subsequent proceedings arising therefrom, on the basis of compromise dated 04.08.2017 (Annexure P-2), effected between the parties.

2. Vide order dated 24.04.2018, the parties were directed to appear before Illaqa Magistrate within one month, to get their statements recorded for compromise with a direction to the Illaqa Magistrate, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Chief Judicial Magistrate, Patiala and got recorded their statements qua compromise on

No. 84 dated 23.05.2018, duly forwarded by learned District and Sessions Judge, Patiala, vide letter No. 2673/AL dated 28.05.2018, has been received. According to the report of the learned Chief Judicial Magistrate, Patiala, the compromise arrived at between the parties is genuine, voluntary and without coercion or undue influence and an outcome of free will and consent of the parties.

4. 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. 11 dated 14.01.2017 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners are 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 05.09.2018, for production of receipts regarding deposit of costs.

August 09, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No