

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-39409-2016

Date of decision: 09.08.2018

Bal Karan Khan and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. AK Walia, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. HPS Chopra, 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. 0165 dated 23.05.2016 (Annexure P-1) registered under Sections 323, 341 and 506 read with Section 34 IPC and all subsequent proceedings arising therefrom, on the basis of compromise Annexure P-2, effected between the parties.

2. Vide order dated 07.11.2016, the parties were directed to appear before the CJM/Illaq Magistrate on 14.12.2016 or on any other date convenient to the Court, to get their statements recorded for compromise with a direction to the CJM/Illaq Magistrate, to furnish a report qua veracity of the compromise.

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

14.12.2016. Report from the Chief Judicial Magistrate, Sangrur, vide letter No. 2310 dated 16.12.2016, duly forwarded by learned District and Sessions Judge, Sangrur, vide Endst. No. 8918/EB Dated 17.12.2016, has been received. According to the report of the learned Chief Judicial Magistrate, Sangrur, the compromise arrived at between the parties voluntarily and without any pressure or coercion.

4. 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. 0165 dated 23.05.2016 (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