

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

**CRM-M-39750-2018 (O&M)
Date of decision: 06.10.2018**

Hukam Singh

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rohit Ahuja, Advocate, for
Mr. Kawaljyot Singh, Advocate, for the petitioners

Mr. Harpreet Multani, AAG, Punjab.

Ms. Banti Kaur, 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. 57 dated 13.04.2017 under Sections 406, 420 and 120-B of the Indian Penal Code, Police Station Kartarpur, District Jalandhar Rural (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of settlement agreement dated 06.09.2018 (Annexure P-2) effected between the parties.

2. Vide orders dated 12.09.2018, 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.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Jalandhar and got recorded their statements qua compromise on 27.09.2018. Report from the Judicial Magistrate, Ist Class, Jalandhar, vide letter No. 265 dated 03.10.2018, duly forwarded by learned District and

Sessions Judge, Jalandhar, vide letter No. 2481 G/JRK, Dated 03.10.2018,

has been received. According to the report of the Judicial Magistrate, Ist Class, Jalandhar , 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.

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. 57 dated 13.04.2017 under Sections 406, 420 and 120-B of the Indian Penal Code, Police Station Kartarpur, District Jalandhar Rural (Annexure P-1) 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 High Court Legal Services Committee, within two weeks from today, failing which this petition shall be deemed to be dismissed.

5. List on 13.11.2018, for production of receipts regarding deposit of costs.

6.10.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No