

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4027-2018 (O&M)

Date of decision: 03.08.2018

Avinash Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. RKS Verka, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

Ms. Rajni Maurya, Advocate for
Mr. Naveen Batra, 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. 77 dated 22.07.2014 (Annexure P-1) registered under Sections 452 and 506 IPC at Police Station Kirtpur Sahib, District Rupnagar and all subsequent proceedings arising therefrom, on the basis of compromise dated 19.01.2018 (Annexure P-2) effected between the parties.

2. Vide orders dated 01.02.2018, parties were directed to appear before the trial Court within 15 days which was further extended for one month vide order dated 21.04.2018, 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, Sri Anandpur Sahib and got recorded their statements qua

compromise on 21.05.2018. Report from the Judicial Magistrate Ist Class, Sri Anandpur Sahib, vide letter No. 273 dated 23.05.2018, duly forwarded by learned District and Sessions Judge, Rupnagar, vide Endst. No. 6013, Dated, Rupnagar, the 24.05.2018, has been received. According to the report of the learned Judicial Magistrate Ist Class, Sri Anandpur Sahib, the compromise is genuine and the parties have entered into the same voluntarily, without any undue influence, pressure and coercion 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. 77 dated 22.07.2014 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner is 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 30.08.2018, for production of receipts regarding deposit of costs.

August 03, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No