

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-39734-2017

Date of decision: 15.11.2018

Ram Dulara @ Dau and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Ashish Mowal, Advocate for
Mr. Dheeraj Mahajan, Advocate for the petitioners.

Mr. AS Gill, DAG, Punjab.

None for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 124 dated 16.07.2017 (Annexure P-1) registered under Sections 452 and 323 read with Section 34 IPC at Police Station Dinanagar, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise Annexure P-2, effected between the parties.

Vide order dated 25.10.2017, the parties were directed to appear before the trial Court/Illaq Magistrate within a period of 15 days, to get their statements recorded for compromise with a direction to the trial Court/Illaq Magistrate, to furnish a report qua veracity of the compromise.

Consequently, parties appeared before the Judicial Magistrate Ist Class, Gurdaspur and got recorded their statements qua compromise on 07.11.2018. Report from the Judicial Magistrate Ist Class, Gurdaspur, vide letter No. 446 dated 10.11.2017, duly forwarded by the District and Sessions Judge, Gurdaspur, vide Endst. No. 18992/RKT dated 14.11.2017, has been received. According to the report of the Judicial Magistrate Ist Class, Gurdaspur, the compromise effected between the parties is genuine and without any pressure and coercion.

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. 124 dated 16.07.2017 (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 ₹3,000/- shall be deposited with the Bar Association, Punjab and Haryana High Court, Chandigarh and ₹7,000/- with the High Court Legal Services Authority, within a period of two weeks' from today, failing which this petition shall be deemed to be dismissed.

List on 15.12.2018, for production of receipts regarding deposit of costs.

November 15, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No