

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44311-2018
Date of decision: 19.11.2018

Mohinder Singh and Others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Gurmeet Singh, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. K.S. Dadwal, 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.351 dated 27.12.2013 (Annexure P-1/T) registered under Sections 323, 324, 427, 452, 148 and 149 IPC at Police Station Tanda, District Hoshiarpur and all subsequent proceedings arising therefrom, on the basis of compromise dated 18.08.2018 (Annexure P-5/T), effected between the parties.

2. Vide order dated 13.11.2018, Karam Singh, father of respondent No. 4-Amandeep Singh has furnished indemnity bond by way of affidavit in the Court giving an undertaking that, in case, any aggrieved person would claim anything in future against his son Amandeep Singh, he would be responsible and satisfy the same for all intents and purposes.

3. Vide order dated 09.10.2018, the parties were directed to appear before the trial Court/Illaq Magistrate 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.

4. Consequently, parties appeared before the Judicial Magistrate, Ist Class, Dasuya and got recorded their statements qua compromise on 06.11.2018. Report from the Judicial Magistrate, Ist Class, Dasuya vide letter No.703 dated 06.11.2018, duly forwarded by the District and Sessions Judge, Hoshiarpur, vide letter No.38945 dated 06.11.2018 has been received. According to the report of the Judicial Magistrate, Ist Class, Dasuya compromise arrived at between the parties voluntarily, without any coercion or undue influence, which is genuine one and outcome of freewill of the parties. None of the accused has been declared proclaimed offender.

5. 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.351 dated 27.12.2013 (Annexure P-1/T) and all subsequent proceedings arising therefrom, qua the petitioners are quashed, subject to payment of costs of ₹10,000/-, out of which ₹7,000/- shall be deposited with the Prime Minister's National Relief Fund and ₹3,000/- with the Bar Association of Punjab and Haryana, High Court, Chandigarh within four weeks from today, failing which this petition shall be deemed to be dismissed.

List on 18.12.2018, for production of receipts regarding deposit of costs.

November 19, 2018

Poonam (II)

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No