

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45385-2018

Date of decision: 16.11.2018

Sunny Nagpal @ Sumit Nagpal and another

..... Petitioners

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Ashok Kumar Khunger, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 0074 dated 19.07.2018 (Annexure P-1) registered under Sections 323 and 324 read with Section 34 IPC at Police Station City Fazilka, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 07.08.2018 (Annexures P-3 and P-4), effected between the parties.

Vide orders dated 12.10.2018, 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.

Consequently, parties appeared before the Chief Judicial Magistrate, Fazilka and got recorded their statements qua compromise on 29.10.2018. Report from the the the Chief Judicial Magistrate, Fazilka, vide letter No. 977 dated 03.11.2018, duly forwarded by the District and

been received. According to the report of the Chief Judicial Magistrate, Fazilka, the compromise effected between the parties is voluntarily, genuine and without any kind of coercion or undue influence.

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. 0074 dated 19.07.2018 (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 16, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No