

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45445-2018

Date of decision: 20.11.2018

Balvir Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. AS Sandhu, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. JS Mahal, Advocate 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. 46 dated 06.04.2018 (Annexure P-1) registered under Sections 420 and 120-B IPC at Police Station Dharamkot, District Moga and all subsequent proceedings arising therefrom on the basis of compromise dated 15.09.2018 (Annexure P-2), effected between the parties.

Vide order dated 15.10.2018, 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 Judicial Magistrate Ist Class, Moga and got recorded their statements qua compromise on 02.11.2018. Report from the Judicial Magistrate Ist Class, Moga vide letter No. 718 dated 05.11.2018, duly forwarded by the District and Sessions Judge, Moga, vide Endst. No. 6157/EB dated 13.11.2018 has been received. According to the report of the Judicial Magistrate Ist Class, Moga, the compromise effected between the parties is genuine and without any pressure or 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. 46 dated 06.04.2018 (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 18.12.2018, for production of receipts regarding deposit of costs.

November 20, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No