

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45496-2018

Date of decision: 20.11.2018

Mohinder Arora

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Naina Issar, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Siddharth Gupta, Advocate for respondents No. 2 & 3.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 128 dated 04.11.2011 (Annexure P-1) registered under Sections 283, 337 and 338 IPC at Police Station Civil Lines, Bathinda, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 06.10.2018 (Annexure P-3), 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, Bathinda and got recorded their statements qua compromise. Report from the Judicial Magistrate Ist Class, Bathinda, vide letter No. 860 dated 01.11.2018, duly forwarded by the District and Sessions Judge, Bathinda, vide letter No. 1920 dated 02.11.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Bathinda, the compromise effected between the parties is genuine, without any pressure 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. 128 dated 04.11.2011 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner 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