

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

217

CRM-M-45789 of 2018

Date of decision : 21.12.2018

Ashok Kumar and others

....Petitioners

V/s

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr.Prateek Pandit, Advocate
for the petitioners.
Mr.Harpreet Singh Multani, AAG, Punjab.
Mr.Nitin Rampal, Advocate for respondents No.2 to 7.

Harnaresh Singh Gill, J. (Oral)

Learned counsel for the petitioners states that in compliance to the order dated 20.11.2018, requisite amount as ordered by this Court, has been deposited. Learned counsel for the petitioners tendered the original receipts which are taken on record. The order dated 20.11.2018 passed by this Court, is reproduced as under:-

“Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 139 dated 15.06.2012 (Annexure P-1), registered under Sections 323, 325 and 149 IPC at Police Station City, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 23.10.2012 (Annexure P-2), effected between the parties.

Vide order dated 16.10.2018, the parties were directed to appear before the trial Court/Illaq Magistrate within two weeks, 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, Kapurthala and got recorded their statements qua compromise on 30.10.2018. Report from the Chief Judicial Magistrate, Kapurthala, vide letter No. 428 dated 15.11.2018, duly forwarded by the District and Sessions Judge, Kapurthala, vide Endst. No. 2114 dated 16.11.2018, has been received. According to

the report of the Chief Judicial Magistrate, Kapurthala, the compromise effected between the parties is genuine and without any threat, coercion or pressure.

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. 139 dated 15.06.2012 (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.”.

Since the order dated 20.11.2018 passed by this court, has been complied with, this petition stands allowed and FIR No. 139 dated 15.06.2012 (Annexure P-1), registered under Sections 323, 325 and 149 IPC at Police Station City, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 23.10.2012 (Annexure P-2), effected between the parties, are quashed.

21.12.2018

(HARNARESH SINGH GILL)

sd

JUDGE

§

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No