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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-45709-2017 (O&M)
Date of decision: 25.09.2018**

Puran Singh and others**..... Petitioners**

Versus

State of Punjab and another**..... Respondents****CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: Mr. Nitin Rampal, Advocate
for the petitioners.

Mr. A.S.Gill, DAG, Punjab.

Mr. Vikas Garg, 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. 164 dated 17.08.2013 under Sections 420 & 120-B of the IPC registered at Police Station Guruharsahai, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2) effected between the parties.

2. Vide orders dated 01.12.2017, the parties were directed to appear before the trial Court to get their statements recorded for compromise with a direction to the trial Court, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Sub Divisional Judicial Magistrate, Guruhar Sahai and got recorded their statements qua compromise. Report from the Sub Divisional Judicial Magistrate, Guruhar, Sahai, vide letter No.217 dated 15.09.2018, duly forwarded by learned District and Sessions Judge, Ferozepur, vide letter No. 10672/EB, Dated 17.09.2018, has been received. According to the report of the Sub Divisional Judicial Magistrate, Guruhar, Sahai, the compromise is genuine and it is voluntarily effected between the parties with their free consent and without any pressure, threat, coercion or undue influence from any side. Since

petitioner No. 1-Puran Singh has died, proceedings qua him stood abated vide order dated 28.05.2018. Accused Desa Singh has been declared as proclaimed offender.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring peace and harmony in relations between the parties, this petition is allowed and the aforesaid FIR No. 164 dated 17.08.2013 under Sections 420 & 120-B of the IPC registered at Police Station Guruharsahai, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners is quashed, subject to payment of costs of Rs. 10,000/-, out of which Rs. 4,000/- shall be deposited with the Bar Association of Punjab and Haryana, High Court, Rs. 1000/- with the Bar Council of Punjab and Haryana and Rs. 5,000/- with the High Court Legal Services Committee, within two weeks from today, failing which this petition shall be deemed to be dismissed.

5. It is made clear that respondent No. 2 has compromised the matter with the petitioners herein only and not with accused-Desa Singh. Hence, the present FIR stands survived against Desa Singh, as he has been declared as proclaimed offender.

6. List on 25.10.2018, for production of receipts regarding deposit of costs.

26th September, 2018

shabha

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No