

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-46657-2018

Date of decision: 22.11.2018

Rashid and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rahul Jaswal, Advocate for the petitioners.

Mr. Surender Singh, AAG, Haryana.

Mr. Umesh K. Kanwar, Advocate for respondents No. 2 and 3.

RAMENDRA JAIN, J. (ORAL)

Power of attorney filed on behalf of respondents No. 2 and 3 is taken on record. Office to tag the same at the appropriate place.

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 82 dated 06.06.2016 (Annexure P-1) registered under Sections 148, 149, 323, 354 and 506 IPC [Sections 148, 149 and 354 IPC have been deleted during the presentation of final report under Section 173(2) Cr.P.C. dated 10.07.2016 (Annexure P-2)] and all subsequent proceedings arising therefrom on the basis of compromise dated 10.09.2018 (Annexure P-3), effected between the parties.

Vide order dated 22.11.2018, 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 Judicial Magistrate Ist Class, Samalkha and got recorded their statements qua compromise on 13.11.2018. Report from the Judicial Magistrate Ist Class, Samalkha, vide letter No. 822 dated 13.11.2018, duly forwarded by the District and Sessions Judge, Panipat, vide letter No. 22558 dated 14.11.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Samalkha, 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. 82 dated 06.06.2016 (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 Prime Minister's National Relief Fund, within a period of two weeks' from today, failing which this petition shall be deemed to be dismissed.

List on 19.12.2018, for production of receipts regarding deposit of costs.

November 22, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No