

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-47312-2017

Date of decision: 24.07.2018

Harjit Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Nakul Sharma, Advocate for petitioners.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 75 dated 05.08.2015 (Annexure P-1) under Sections 452, 324, 323, 148 and 149 IPC at Police Station Ghuman, Police District Batala, District Gurdaspur and all subsequent proceedings arising therefrom, on the basis of compromise dated 05.08.2016 (Annexure P-3) effected between the parties.

2. Vide orders dated 13.12.2017 and 22.03.2018, parties were directed to appear before the Illaqa Magistrate/trial Court, to get their statements recorded for compromise with a direction to the Illaqa Magistrate/trial Court, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Batala and got recorded their statements qua compromise on 10.05.2018. Report from the Judicial Magistrate Ist Class, Batala, vide letter No. 381 dated 16.05.2018, duly forwarded by learned District and

Sessions Judge, Gurdaspur, vide Endst. No. 10086/RKT, dated 17.05.2018

has been received. According to the report of the learned Judicial Magistrate Ist Class, Batala, compromise between the parties is valid and genuine and it is voluntarily effected between the parties with their free consent and without any pressure, threat, coercion or undue influence from an quarter.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, this petition is allowed and the aforesaid FIR No. 75 dated 05.08.2015 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners is quashed, subject to payment of costs of ₹10,000/-, out of which ₹6,000/- shall be deposited with the Punjab State Legal Services Authority and ₹4,000/- with the Bar Council of Punjab and Haryana, within two weeks from today, failing which this petition shall be deemed to be dismissed.

5. List on 05.09.2018 for production of receipts regarding deposit of costs.

July 24, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No