

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6269-2017

Date of decision: 23.08.2018

Manjit Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Nitin Rathour, Advocate for
Mr. BS Bhalla, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

Mr. Harkaran Singh, 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. 170 dated 26.06.2015 (Annexure P-1) registered under Sections 304-A and 279 IPC at Police Station Jandiala Guru, District Amritsar (Rural) and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.02.2017 (Annexure P-2), effected between the parties.

2. Vide order dated 27.02.2017, the parties were directed to appear before the Illaqa Magistrate/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 learned Judicial

compromise on 23.03.2017. Report from the learned Judicial Magistrate Ist Class, Amritsar vide letter No. 38 dated 28.03.2017 duly forwarded the District and Sessions Judge, Amritsar vide Endst. No. 2758R dated 30.03.2017 has been received. According to the report of the learned Judicial Magistrate Ist Class, Amritsar, the parties have made amicable settlement and have recorded their statements in the Court without any fear, pressure, threat or coercion and out of their free will.

4. In the instant case, quashment of FIR under Section 304-A IPC has been sought. Taking the aid of judgment of this Court passed in **CRM-M-34148-2015, "Ravinder Singh Guleria Vs. State of Punjab and others"**, decided on 18.05.2016, learned counsel for the petitioner contends that the FIR under Section 304-A IPC was quashed by co-ordinate Bench of this Court. Even respondent No. 2-Inder Singh, has no objection in quashing of impugned FIR.

4. 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. 170 dated 26.06.2015 (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 ₹8,000/- shall be deposited with the following account:-

Account details:-	Chief Minister's Distress Relief Fund.
Account Number :-	67319948232
Bank:-	State Bank of India.
Branch:-	City Branch, Thiruvananthapuram
IFSC:-	SBIN0070028
PAN:-	AAAGD0584M
Account Type:-	Savings
SWIFT Code:	SBININBBT08

and ₹2,000/- with the Bar Council of Punjab and Haryana, within 10 days 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.

August 23, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No