

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-9769-2018

Date of decision: 26.07.2018

Kabal Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. HS Batth, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

Mr. Gaurav Kalsi, 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. 0157 dated 02.12.2017 (Annexure P-1) under Sections 379, 336, 436, 427, 506, 148 and 149 IPC at Police Station Goindwal Sahib, District Tarn Taran and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2) effected between the parties.

2. Vide orders dated 08.03.2018, parties were directed to appear before the trial Court/Illaq Magistrate on 23.03.2018, 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.

3. Consequently, parties appeared before the Sub Divisional Judicial Magistrate, Khadur Sahib and got recorded their statements qua compromise on 21.03.2018. Report from the Sub Divisional Judicial

Magistrate, Khadur Sahib, vide letter No. 150 dated 27.03.2018, duly

forwarded by learned District and Sessions Judge, Tarn Taran, vide Endst No. 1552-R dated 30.03.2018, has been received. According to the report of the learned Sub Divisional Judicial Magistrate, Tarn Taran, the compromise effected between the parties is without any pressure, undue influence or coercion of anyone. The same is genuine and voluntary.

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. 0157 dated 02.12.2017 (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 20.08.2018, for production of receipts regarding deposit of costs.

July 26, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No