

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6035-2019

Date of Decision: 26.03.2019

Kusum and another

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. HS Oberoi, Advocate for the petitioners.

Ms. Sudeepti Sharma, Addl. AG, Punjab.

Ms. Karanbeer Kaur, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No. 100 dated 09.07.2016 (Annexure P-1) registered under Section 381 IPC at Police Station Sadar, Phagwara, District Kapurthala and all subsequent proceedings arising therefrom, on the basis of compromise dated 31.01.2019 (Annexure P-2) effected in between the parties.

Pursuant to order dated 08.02.2019 of this Court, the parties appeared before the Judicial Magistrate Ist Class, Phagwara, on 26.02.2019 to get their statements recorded. Learned Judicial Magistrate Ist Class, Phagwara, has submitted his report vide letter No. 453 dated 06.03.2019, duly forwarded by learned District and Sessions Judge,

Kapurthala, vide Endst. No. 484 dated 08.03.2019.

According to the report, learned Judicial Magistrate Ist Class, Phagwara, is satisfied that compromise effected between the parties is genuine, voluntary and without any coercion or threat. No accused has been declared as proclaimed offender.

In compliance of order dated 08.02.2019, original receipts regarding deposit of costs of ₹ 15,000/- have also been produced in Court today. The same are taken on record. Be tagged at appropriate place.

Considering the report of Judicial Magistrate Ist Class, Phagwara dated 06.03.2019 and deposit of costs as well as the fact that the compromise will bring peace and harmony in relations between the parties, aforesaid FIR No. 100 dated 09.07.2016 (Annexure P-1) along with all subsequent proceedings arising therefrom, is quashed qua the petitioners only.

Disposed of, accordingly

March 26, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No