

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8682-2019 (O&M)

Date of Decision: 06.05.2019

Kawaljit Singh and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. GS Bawa, Advocate for the petitioners.

Mr. Hittan Nehra, Addl. AG, Punjab.

Mr. Nirbhai Singh, Advocate for respondents No. 2 and 3.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No. 77 dated 13.10.2011 (Annexure P-1) registered under Sections 324 and 323 read with Section 34 IPC at Police Station, Majitha, District Amritsar (Rural); judgment of conviction and order of sentence dated 21.09.2018 (Annexure P-2) whereby the petitioners were convicted and sentenced under Sections 323, 324 and 326 read with Section 34 IPC and all subsequent proceedings arising therefrom, on the basis of compromise dated 24.01.2019 (Annexure P-3) effected in between the parties.

Pursuant to order dated 26.02.2019 of this Court, the parties appeared before the Judicial Magistrate Ist Class, Amritsar, on

24.04.2019 to get their statements recorded. Learned Judicial Magistrate Ist Class, Amritsar, has submitted her report vide letter No. 143 dated 24.04.2019.

According to the report, learned Judicial Magistrate Ist Class, Amritsar, is satisfied that compromise between the parties is genuine and has been effected voluntarily, without any coercion or undue influence.

In compliance of order dated 26.02.2019, 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, Amritsar dated 24.04.2019 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. 77 dated 13.10.2011 (Annexure P-1) and judgment dated 21.09.2018 (Annexure P-2) whereby the petitioners were convicted along with all subsequent proceedings arising therefrom, is quashed qua the petitioners only.

Disposed of, accordingly

May 06, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No