

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11866-2019

Date of Decision: 09.05.2019

Sunny Masih @ Pamma Masih and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Ms. Rimple Saini, Advocate for the petitioners.

Mr. AS Gill, DAG, Punjab.

Mr. Saleem Malik, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for acquittal in the judgment of conviction and order of sentence dated 17.09.2018 of the Judicial Magistrate Ist Class, Batala (Annexure P-1), in case FIR No. 01 dated 04.01.2015 (Annexure P-2) registered under Sections 325, 323, 148 and 149 IPC at Police Station Rangar Nangal, District Batala, on the basis of compromise dated 01.03.2019 (Annexure P-3) effected in between the parties.

Pursuant to order dated 14.03.2019 of this Court, the parties appeared before the Judicial Magistrate Ist Class, Batala, on 23.04.2019 to get their statements recorded. Learned Judicial Magistrate Ist Class, Batala, has submitted his report vide letter No. 113 dated 30.04.2019,

duly forwarded by the learned District and Sessions Judge, Gurdaspur, vide Endst. No. 7068/RKJ dated 30.04.2019.

According to the report, learned Judicial Magistrate Ist Class, Batala, is satisfied that compromise effected between the parties is genuine which is not the result of any pressure or coercion.

In compliance of order dated 14.03.2019, the 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, Batala dated 23.04.2019 and deposit of costs as well as the fact that the compromise will bring peace and harmony in relations between the parties, aforesaid judgment of conviction and order of sentence dated 17.09.2018 of the Judicial Magistrate Ist Class, Batala (Annexure P-1); FIR No. 01 dated 04.01.2015 (Annexure P-2) and all subsequent proceedings arising therefrom, are quashed, qua the petitioners only. They are accordingly acquitted of the charges framed against them.

Disposed of, accordingly

May 09, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No