

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32375-2016

Date of decision: 10.01.2019

Avtar Singh

..... Petitioner

Versus

Gurmeet Kaur

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Baljinder Singh, Advocate for the petitioner.

Mr. JK Gupta, Advocate for the respondent.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing Complaint No. 16 dated 09.06.2012 (Annexure P-1) as well as the summoning order dated 03.06.2013 (Annexure P-2) of the Additional Chief Judicial Magistrate, Sangrur, whereby the petitioner along with his co-accused to face trial under Sections 420, 465, 467, 468, 471 and 120-B IPC and all the subsequent proceedings arising therefrom, on the basis of compromise.

Vide orders dated 25.01.2018 and 19.02.2018 the parties were directed to appear before the trial Court/Illaq Magistrate, 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.

Consequently, parties appeared before the Judicial Magistrate Ist Class, Sangrur and got recorded their statements qua compromise on 05.03.2018. Report from the Judicial Magistrate Ist

Class, Sangrur, vide letter No. 719 dated 05.03.2018, duly forwarded by the District and Sessions Judge, Sangrur, vide Endst. No. 1433/EB dated 05.03.2018, has been received. According to the report of the Judicial Magistrate Ist Class, Sangrur, the compromise effected between the parties is genuine and has been entered into by the parties voluntarily, without any pressure or coercion of any sort.

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, Complaint No. 16 dated 09.06.2012 (Annexure P-1) as well as the summoning order dated 03.06.2013 (Annexure P-2) of the Additional Chief Judicial Magistrate, Sangrur, whereby the petitioner along with his co-accused to face trial under Sections 420, 465, 467, 468, 471 and 120-B IPC and all the subsequent proceedings arising therefrom, qua the petitioner are quashed, subject to payment of costs of ₹15,000/-, out of which ₹3,000/- shall be deposited with the Bar Association, Punjab and Haryana High Court, Chandigarh and ₹12,000/- with the Poor Patients' Welfare Fund of the Post-Graduate Institute of Medical Education and Research (PGIMER), Chandigarh, within a period of one month from today, failing which this petition shall be deemed to be dismissed.

List on 11.03.2019, for production of receipts regarding deposit of costs.

January 10, 2019

rishu

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No