

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-42552-2019

Date of Decision: 16.03.2020

Davinder Kumar and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Raman Kumar, Advocate for
Mr. Prashant Vashisth, Advocate for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Vinod K. Kaushal, Advocate for respondents No. 2 & 3.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing cross case registered vide rapat No. 20 dated 13.06.2019 (Annexure P-2) under Sections 323 and 341/34 IPC at Police Station Chabbewal, District Hoshiarpur, in case FIR No. 42 dated 15.05.2019 (Annexure P-1) registered under Sections 452, 323, 325/34 IPC, Police Station Chabbewal, District Hoshiarpur and all subsequent proceedings arising therefrom, on the basis of compromise dated 19.09.2019 (Annexure P-3) effected in between the parties.

Pursuant to orders dated 04.10.2019 of this Court, the parties appeared before the Judicial Magistrate Ist Class, Hoshiarpur, on 19.10.2019 to get their statements recorded. Learned Judicial Magistrate Ist Class, Hoshiarpur, submitted her report vide letter No. 842 dated

25.11.2019, duly forwarded by the learned District and Sessions Judge, Hoshiarpur, vide Endst. No. 29781 dated 26.11.2019.

According to the report, learned Judicial Magistrate Ist Class, Hoshiarpur, is satisfied that compromise effected between the parties is voluntary, without any coercion or pressure of any kind and the same is authentic.

In compliance of order dated 24.02.2020, receipts duly attested by learned counsel for the petitioners regarding deposit of costs of ₹20,000/- 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, Hoshiarpur, dated 25.11.2019 and deposit of costs as well as the fact that the compromise will bring peace and harmony between the parties, aforesaid cross case registered vide rapat No. 20 dated 13.06.2019 (Annexure P-2) in case FIR No. 42 dated 15.05.2019 (Annexure P-1) registered under Sections 452, 323, 325/34 IPC, Police Station Chabbewal, District Hoshiarpur and all subsequent proceedings arising therefrom, are quashed, qua the petitioners only.

Registry is directed to verify deposit of aforesaid costs, with the concerned quarter.

Disposed of, accordingly

March 16, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No