

2024:PHHC:007563

**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

238

CRM-M-37951-2019

Date of Decision: 19.01.2024

KARNAIL SINGH AND ORS

...Petitioners

V/S

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Talwinder Singh Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

Prayer in the present petition under Section 482 is for quashing of the criminal complaint No.263 dated 02.05.2012, CIS No. COMI-68/2014, titled as ‘Gurpreet Singh Vs. Lachman Singh and others’ filed under Sections 323, 324, 34 of Indian Penal Code, 1860, at Sub Divisional Judicial Magistrate, Nihal Singh Wala (Annexure P-1) and all consequential proceedings including judgment of conviction and order of sentence dated 14.08.2018 (Annexure P-2) on the basis of compromise (Annexure P-4).

In compliance of the order dated 16.03.2020, the parties have already appeared before the concerned jurisdictional Magistrate for recording their statement in terms of the compromise. However, learned counsel for the petitioners submits that in view of the aforesaid order an amount of Rs.20,000/- was imposed as cost upon the petitioners but they

are unable to pay a sum of Rs.20,000/- as cost. As they are the persons of below poverty line and have poor financial condition and they can barely survive, they have no means to pay a sum of Rs.20,000/- as cost.

Keeping in view the poor financial condition of the petitioners and that the parties have already entered into compromise, imposition of cost by this Court vide order dated 16.03.2020 is waived of and the complaint No.263 dated 02.05.2012, CIS No. COMI-68/2014, titled as ‘Gurpreet Singh Vs. Lachman Singh and others’ filed under Sections 323, 324, 34 of Indian Penal Code, 1860, at Sub Divisional Judicial Magistrate, Nihal Singh Wala (Annexure P-1) and with all subsequent proceedings including judgment of conviction and order of sentence dated 14.08.2018 are set aside. The petitioners are acquitted of the charges and their bail bonds and surety bonds stand discharged.

Disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

19.01.2024
pry

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No