

RAHUL SHARMA AND ORS VS STATE OF PUNJAB AND ORS

Present: Mr.Deepak Gupta, Advocate,
for the petitioner.

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The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.181 dated 23.08.2022 registered under Sections 308/323/148/149 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959 at Police Station Baghapurana, District Moga and all consequential proceedings arising therefrom on the basis of compromise arrived between the parties.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab, who is present in the Court, has accepted notice on behalf of respondent No.1-State.

At this stage, Mr. Rakesh Dhiman, Advocate has appeared for Mr.Harwinder Pal Singh, Advocate, and accepted notice on behalf of respondents No.2 and 3 and filed power of attorney in the Court which is taken on record.

Learned Counsel appearing for respondents No.2 and 3 admits the factum of compromise.

Accordingly, the private parties are directed to appear before the trial Court/Illaq Magistrate within 15 days from today or any other date convenient to the trial Court/Illaq Magistrate for recording their statements with regard to compromise/settlement subject to payment of costs of Rs.15,000/- to be deposited with the District Legal Services Authority, concerned. Trial Court/Illaq Magistrate is directed to submit a report before

next date of hearing containing the following information:-

1. Number of persons arrayed as accused in FIR.
2. Whether any accused is proclaimed offender.
3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.
4. Whether the accused persons are involved in any other case or not.
5. Current stage of the case.

Adjourned to 10.08.2023, for awaiting report of the trial Court.

(ASHOK KUMAR VERMA)
JUDGE

May 17, 2023
dharamvir