IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

246 **CRM-M-11044-2016** (O&M)
Decided on : 25.09.2018

Sukhwinder Singh @ Rita and another

...Petitioners

Versus

State of Punjab and others

. ..Respondents

CORAM : HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present : Mr.G.S.Rawat, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Sandeep Arora, Advocate for respondents No. 2 and 3.

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.63 dated 24.06.2012 under Sections 323, 324, 382, 341, 411 IPC registered at Police Station Garhshankar, District Hoshiarpur and consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

2. Learned counsel for the petitioners contended that present FIR is an outcome of sudden quarrel between the parties. Now the matter has been resolved and sought for quashing of FIR in view of compromise.

3. This Court by the order dated 31.03.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Garhshankar has sent his report dated 30.05.2016 wherein it is stated that in pursuance to the order of this Court, statements of

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the parties were recorded and compromise has been effected without any fear or undue influence.

4. In view of the law laid down in ***"Anita Maria Dias and another versus State of Maharashtra and another" (2018) 3 SCC 290***, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.63 dated 24.06.2012 under Sections 323, 324, 382, 341, 411 IPC registered at Police Station Garhshankar, District Hoshiarpur and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners subject to payment of litigation cost of Rs.5000/- by the petitioner to State of Punjab. Cost shall be remitted in the State Treasury, Hoshiarpur within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

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Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

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