

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

**246-2**

**CRM-M-11295-2016 (O&M)  
Decided on : 25.09.2018**

Harwinder Singh Hayer and another

...Petitioners

Versus

State of Punjab and another

. ..Respondents

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

Present : Mr.Sandeep Arora, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. G.S.Rawat, Advocate for respondent No. 2.

**P.B.BAJANTHRI, J. (ORAL)**

In the instant petition, petitioners are seeking quashing of cross case bearing No. DDR No. 30(A) dated 25.06.2012 under Sections 323, 324 IPC registered at Police Station Garhshankar, District Hoshiarpur in the main case FIR No.63 dated 24.06.2012 under Sections 323, 324, 382, 341, 411 IPC, Police Station Garhshankar, District Hoshiarpur and consequential proceedings arising therefrom on the basis of compromise arrived at between the parties. Present petition is restricted to petitioner No.1- Harwinder Singh Hayer insofar as recording compromise and disposal of the matter.

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 04.04.2016 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 10.05.2016 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded except petitioner No.2-Harinder Singh Hayer 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 cross case bearing No. DDR No. 30 (A) dated 25.06.2012 under Sections 323, 324 IPC registered at Police Station Garhshankar, District Hoshiarpur in the main case FIR No.63 dated 24.06.2012 under Sections 323, 324, 382, 341, 411 IPC, Police Station Garhshankar, District Hoshiarpur and all consequential proceedings arising therefrom, are hereby quashed qua petitioner No.1-Harwinder Singh Hayer subject to payment of litigation cost of Rs.5000/- by petitioner No.1 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

25.09.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No