

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11973-2018 (O&M)
Date of Decision:-05.10.2018.

Harnek Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Harsh Bunker, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

Petitioner is seeking quashing of FIR No.37 dated 29.03.2014 under Section 406/420 IPC, registered at Police Station, Adampur, Jalandhar City Jalandhar (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise dated 26.10.2015 (Annexure P-2) arrived at between the parties.

2.) Learned counsel for the petitioner submitted that FIR is a result of some misunderstanding with regard to money transaction among parties. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise which has been recorded before the Trial Court.

3.) This Court vide order dated 22.03.2018 had directed the parties to appear before the Trial Court/Illaq Magistrate on 26.03.2018 for

recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Jalandhar has sent her report dated 01.06.2018 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

4.) In view of the law laid down by Hon'ble the Supreme Court in the case of **"Anita Maria Dias and another Vs. State of Maharashtra and another"** reported in **(2018) 3 SCC 290**, no useful purpose would be served by continuing the criminal proceedings. Therefore, petition is allowed and FIR No.37 dated 29.03.2014 under Section 406/420 IPC, registered at Police Station, Adampur, Jalandhar, City Jalandhar (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed on the basis of compromise dated 26.10.2015 (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 5,000/- by the petitioner. Cost be remitted in the District Treasury, Jalandhar, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 05, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.