

In the High Court of Punjab and Haryana at Chandigarh

CRM M-13154 of 2018 (O&M)
Date of Decision: October 01, 2018

Jagjit Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

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

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. S.S. Sarwara, Advocate,
for respondent no. 2.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 112, dated 23.08.2015, under Sections 406, 420, 120-B IPC, registered at Police Station Payal, District Khanna along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P/2).

2. Present FIR is an outcome of some misunderstanding with regard to money transaction. Now, the parties with the intervention of some respectable relatives and friends compromised the matter.

3. This Court while ordering notice of motion, had directed the parties to appear before the Illaqa Magistrate/trial Court for the purpose of recording their statements with regard to veracity of the compromise. The Sub Divisional Judicial Magistrate, Payal has sent his report dated 07.06.2018 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 undue influence or coercion.

4. In view of the law laid down in *Anita Maria Dias and another vs. State of Maharashtra and another* reported in (2018) 3 SCC 290, no useful purpose will be served by continuing the criminal proceedings. Therefore, present petition is allowed and FIR No. 112, dated 23.08.2015, under Sections 406, 420, 120-B IPC, registered at Police Station Payal, District Khanna along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioners subject to payment of litigation cost of Rs. 5,000/- by each of the petitioner to the District Treasury, Ludhiana within a period of three months from today.

October 01, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No