

In the High Court of Punjab and Haryana at Chandigarh

CRM M-15547 of 2016 (O&M)
Date of Decision: October 23, 2018

Vinod Kumar @ Nandu and another

... Petitioners

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Nitin Narula, Advocate,
for Mr. Veneet Sharma, Advocate,
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

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

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 146, dated 26.09.2010, under Sections 452, 326, 323, 324, 148 and 149 IPC, registered at Police Station `B' Division, Amritsar City, District Amritsar along with all subsequent proceedings arising therefrom, on the basis of compromise dated 26.04.2016 (Annexure P-2).

2. Learned counsel for the petitioners submitted that present FIR is an outcome of sudden quarrel and in fit of anger. Now with the intervention of friends, matter has been compromised.

3. This Court while ordering notice of motion, had directed the parties to appear before the trial Court for the purpose of recording their statements with regard to veracity of the compromise. The Judicial Magistrate First Class, Amritsar has sent her report dated 04.08.2016

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 would be served by continuing the criminal proceedings. Therefore, present petition is allowed and FIR No. 146, dated 26.09.2010, under Sections 452, 326, 323, 324, 148 and 149 IPC, registered at Police Station 'B' Division, Amritsar City, District Amritsar along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioner only subject to payment of litigation cost of Rs. 5,000/- by each of the petitioner to the State Treasury, Amritsar, State of Punjab within a period of three months from today.

October 23, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No