

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-1585-2018 (O&M)
Date of Decision:-22.10.2018.

Neelam Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Jatinder Nagpal, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Vishal Sharma, Advocate for
Mr. Bhisham Kumar, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of FIR No.165 dated 17.11.2014 under Sections 323/452/427/506/34 IPC, registered at Police Station, City, Hoshiarpur, District Hoshiarpur (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise dated 22.12.2017 (Annexure P-2) arrived at between the parties.

2.) Learned counsel for the parties submitted that FIR is the outcome of sudden quarrel and in fit of anger. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise.

3.) This Court vide order dated 16.02.2018 had directed the parties to appear before the Trial Court on 08.03.2018 for recording their statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Hoshiarpur has sent his report dated 13.04.2018 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.165 dated 17.11.2014 under Sections 323/452/427/506/34 IPC, registered at Police Station, City, Hoshiarpur, District Hoshiarpur (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 22.12.2017 (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 5,000/- by each of the petitioner. Cost be remitted in the District Treasury, Hoshiarpur, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 22, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.