

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17769-2018 (O&M)
Date of Decision:-09.10.2018.

Raj Kataria and others

.....Petitioners

Versus

State of Punjab and another

.....Respondent

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

Present: Mr. Achin Gupta, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of FIR No.125 dated 19.07.2016 under Section 419/420/465/467/468/471/120-B IPC, registered at Police Station, Moga City, District Moga (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

2.) Learned counsel for the petitioners 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 30.04.2018 had directed the parties

to appear before the Trial Court for recording their statements with regard to

veracity of the compromise. The Chief Judicial Magistrate, Moga has sent his report dated 30.05.2018 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 will be served by continuing the criminal proceedings. Therefore, petition is allowed and FIR No.125 dated 19.07.2016 under Section 419/420/465/467/468/471/120-B IPC, registered at Police Station, Moga City, District Moga (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 3,000/- by each of the petitioner. Cost be remitted in the District Treasury, Moga, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 09, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.