

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19697-2018 (O&M)

Date of Decision:-22.10.2018.

Om Parkash and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Amit Arora, Advocate for the petitioners.

Mr. R.K. Doon, AAG, Haryana.

Mr. Vikram Sharma, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of FIR No.348 dated 17.04.2018 under Sections 323/147/149/285/427 IPC and Sections 25/54/59 of the Arms Act registered at Police Station, Sarai Khawaja, Distrit Faridabad (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 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.

to appear before the Trial Court on 3.10.2018 for recording their statements with regard to veracity of the compromise. The Judicial Magistrate 1st Class, Faridabad has sent his report dated 09.10.2018 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.348 dated 17.04.2018 under Sections 323/147/149/285/427 IPC and Sections 25/54/59 of the Arms Act registered at Police Station, Sarai Khawaja, Distrit Faridabad (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 Haryana a sum of ₹ 3,000/- by each of the petitioner. Cost be remitted in the District Treasury, Faridabad, State of Haryana 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.