

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20815-2017 (O&M)
Date of Decision:-07.09.2018.

Sukhchain Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Parveen, Advocate for
Mr. Sahil Soi, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. S.P. Soi, Advocate for respondent Nos.2 to 4.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of cross version of FIR No.186 dated 27.11.2015 under Sections 323/324/148/149 IPC, registered at Police Station, Dharamkot, District Moga 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.

3.) This Court vide order dated 23.10.2017 had directed the parties

to appear before the Illaqa Magistrate for recording their statements with regard to veracity of the compromise. The Judicial Magistrate 1st Class has sent her report dated 4.12.2017 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 cross version of FIR No.186 dated 27.11.2015 under Sections 323/324/148/149 IPC, registered at Police Station, Dharamkot, District Moga and all other consequential proceedings arising therefrom are hereby quashed 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 Treasury, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

September 07, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.