

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21983-2018 (O&M)

Date of Decision:-03.10.2018.

Balwinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Ms. Kaavya Jariyal, Advocate for
Mr. Ankush Thakral, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. B.S. Jaswal, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of Cross version registered
Vide GD No.29 dated 02.01.2017 (Annexure P-2) under Sections
323/324/326/148/149 IPC, registered at Police Station Beas in case FIR
No.208 dated 31.12.2016 under Sections 323/324/325/148/149 IPC,
registered at Police Station, Beas, District Amritsar (Annexure P-1) and all
other consequential proceedings arising therefrom on the basis of
compromise dated 16.05.2017 (Annexure P-3) 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 27.08.2018 had directed the parties to appear before the Trial Court/Illaq Magistrate on 21.09.2018 for recording their statements with regard to veracity of the compromise. The Sub-Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar has sent his report dated 27.09.2018 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 Cross version registered Vide GD No.29 dated 02.01.2017 (Annexure P-2) under Sections 323/324/326/148/149 IPC, registered at Police Station Beas in case FIR No.208 dated 31.12.2016 under Sections 323/324/325/148/149 IPC, registered at Police Station, Beas, District Amritsar (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners only on the basis of compromise dated 16.05.2017 (Annexure P-3), 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, Amritsar State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 03, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.