

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22056-2014 (O&M)
Date of Decision:-09.10.2018.

Harish Sharma and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. G.B.S. Dhillon, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Amandeep Singh Bajwa, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.117 dated 16.05.2014 under Section 420/408/467/468/471/120-B IPC, registered at Police Station, Focal Point, Ludhiana City, District Ludhiana (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 petitioner 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 20.02.2018 had directed the parties

to appear before the Trial Court/Illaq Magistrate on 12.03.2018 for recording their statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Ludhiana has sent his report dated 28.03.2018 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.117 dated 16.05.2014 under Section 420/408/467/468/471/120-B IPC, registered at Police Station, Focal Point, Ludhiana City, District Ludhiana (Annexure P-1) 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 ₹ 5,000/- by each of the petitioner. Cost be remitted in the District Treasury, Ludhiana, 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.