

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24133-2018 (O&M)
Date of Decision:-05.09.2018.

Sandeep Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Sangam Kaushal, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

CRM-28099-2018

Affidavit of Sandeep Kumar-petitioner is taken on record.

CRM stands allowed subject to all just exceptions for the reasons stated in the application as well as affidavit.

CRM-M-24133-2018

Petitioner is seeking quashing of FIR No.30 dated 05.05.2012 under Sections 406/420/465/467/468/471 IPC, registered at Police Station, City S.B.S. Nagar, District S.B.S. Nagar, Punjab and all other consequential proceedings arising therefrom on the basis of compromise dated 07.05.2018 (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 02.08.2018 had directed the parties to appear before the Trial Court/Illaq Judicial Magistrate for recording their statements with regard to veracity of the compromise. The Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar has sent his report dated 01.09.2018 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 FIR No.30 dated 05.05.2012 under Sections 406/420/465/467/468/471 IPC, registered at Police Station, City S.B.S. Nagar, District S.B.S. Nagar, Punjab and all other consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 07.05.2018 (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 5,000/- by the petitioner. Cost be remitted in the Treasury, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

September 05, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.