

In the High Court of Punjab and Haryana at Chandigarh

CRM M-24764 of 2018 (O&M)
Date of Decision: August 27, 2018

Rajan Soni and another

... *Petitioners*

Versus

State of Punjab and another

... *Respondents*

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

Present: Ms. Harshita, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. M.N. Jajoria, Advocate,
for respondent no. 2.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 15, dated 01.02.2018, under Sections 420, 120-B IPC, registered at Police Station Khamano, District Fatehgarh Sahib along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.04.2018 (Annexure P/2).

2. This Court while ordering notice of motion, had directed the parties to appear before the trial Court / Area Judicial Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Sub Divisional Judicial Magistrate, Khamanon has sent her report dated 09.08.2018 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.

3. In view of the law laid down in *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, present petition is allowed and FIR No. 15, dated 01.02.2018, under Sections 420, 120-B IPC, registered at Police Station Khamano, District Fatehgarh Sahib along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioners subject to payment of litigation cost of Rs. 5,000/- by each of the petitioner to the Treasury, State of Punjab within a period of three months from today.

August 27, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No