

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

248

**CRM-M-25875-2018 (O&M)
Decided on : 29.08.2018**

Kulwant Singh @ Kanta and others

...Petitioners

Versus

State of Punjab and others

. ..Respondents

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

Present : Mr. Inderjit Sharma, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

None for respondent No.2.

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.46 dated 16.05.2017 under Sections 341, 324, 323, 34 IPC (Section 326 IPC added later on) registered at Police Station Sadar Gurdaspur District Gurdaspur (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

2. Learned counsel for the petitioners contended that present FIR is an outcome of sudden quarrel and now the matter has now been resolved and sought for quashing of FIR in view of compromise.

3. This Court by the order dated 02.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Additional Chief Judicial Magistrate, Gurdaspur has sent her report dated 24.07.2018 wherein it is stated that in pursuance to the order of this Court, statements of the

parties were recorded and compromise has been effected without any fear or undue influence.

4. In view of the law laid down in “*Anita Maria Dias and another versus State of Maharashtra and another*” (2018) 3 SCC 290, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.46 dated 16.05.2017 under Sections 341, 324, 323, 34 IPC (Section 326 IPC added later on) registered at Police Station Sadar Gurdaspur District Gurdaspur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners subject to payment of litigation cost of Rs.5000/- by each of the petitioner to State of Punjab. Cost shall be remitted in the Treasury, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

29.08.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No