In the High Court of Punjab and Haryana at Chandigarh

CRM M-26200 of 2016 (O&M)
Date of Decision: October 23, 2018

Raj Kumar @ Raju and others

... Petitioners

Versus

State of Punjab and another

... Respondents

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

Present: Mr. Nitin Narula, Advocate,
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Sandeep Sharma, Advocate,
for respondent No.2.

***P.B. Bajanthri, J.* (Oral)**

1. In the present petition, petitioners are seeking quashing of FIR No. 256, dated 02.10.2012, under Sections 323, 324, 148 and 149 IPC, registered at Police Station City Ferozepur, District Ferozepur along with all subsequent proceedings arising therefrom, on the basis of compromise dated 01.06.2016 (Annexure P-2).

2. Learned counsel for the petitioners submitted that present FIR is an outcome of sudden quarrel and in fit of anger. Now with the intervention of friends, matter has been compromised.

3. Vide order dated 07.09.2018, this Court directed the parties to appear before the Illaqa Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Ferozepur has sent her report dated 06.10.2018 wherein it is stated that in pursuance to the order of this Court, statements of the parties

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were recorded. It is also stated that in pursuant of order dated 07.09.2018, payment of costs of Rs.2000/- by each of the petitioner has also been deposited in the State Treasury, State of Punjab. As per the statements, compromise has been effected without any undue influence or coercion.

4. 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 would be served by continuing the criminal proceedings. Therefore, present petition is allowed and FIR No. 256, dated 02.10.2012, under Sections 323, 324, 148 and 149 IPC, registered at Police Station City Ferozepur, District Ferozepur along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioner only subject to payment of litigation cost of Rs. 3,000/- by each of the petitioner to the State Treasury, Ferozepur, State of Punjab within a period of three months from today.

October 23, 2018 **[P.B. Bajanthri]**
vkd **Judge**

Whether reasoned / speaking : Yes

Whether reportable : No

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