

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27524-2018 (O&M)
Date of Decision:-28.08.2018.

Harjinder Kumar @ Ladi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Ms. Neha Jain, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Daljot Kaur, Advocate for
Mr. Naresh Kumar, Advocate for respondent Nos.2 to 6.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.126 dated 16.12.2015 under Section 420 IPC, registered at Police Station, City Hoshiarpur, District Hoshiarpur (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 05.07.2018 had directed the parties to appear before the Trial Court for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Hoshiarpur has sent her report dated 01/08.08.2018 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.

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.126 dated 16.12.2015 under Section 420 IPC, registered at Police Station, City Hoshiarpur, District Hoshiarpur (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 the petitioner. Cost be remitted in the Treasury, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

August 28, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.