

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

261

**CRM-M-28196-2018 (O&M)
Decided on : 18.09.2018**

Lakhveer Singh @ Lakhi @ Lakhwinder Singh and others

...Petitioners

Versus

State of Punjab and another

. ..Respondents

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

Present : Mr. K.S.Sidhu, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. L.S.Bhullar, Advocate for respondent No.2.

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.02 dated 06.01.2018 under Sections 323, 324, 34 IPC later on offence under Section 326 of IPC was added on 22.01.2018(during the investigation the offence under Section 326 IPC was deleted) registered at Police Station Bagapurana, District Moga and consequential proceedings arising therefrom on the basis of compromise dated 25.01.2018 (Annexure P-4) arrived at between the parties.

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

3. This Court by the order dated 09.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Sub-Divisional

Judicial Magistrate, Baghapurana has sent his report dated 18.08.2018 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.02 dated 06.01.2018 under Sections 323, 324, 34 IPC later on offence under Section 326 of IPC was added on 22.01.2018(during the investigation the offence under Section 326 IPC was deleted) registered at Police Station Bagapurana, District Moga and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners subject to payment of litigation cost of Rs.3000/- by each of the petitioner to State of Punjab. Cost shall be remitted in the State Treasury, Moga within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

18.09.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No