

In the High Court of Punjab and Haryana at Chandigarh

CRM M-28268 of 2018 (O&M)
Date of Decision: August 27, 2018

Sarabjit Singh and others

... *Petitioners*

Versus

State of Punjab and others

... *Respondents*

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

Present: Mr. Rakesh Kumar, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Monika Mehta, Advocate,
for respondents no. 2 and 3.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of cross version G.D. No. 028 dated 08.04.2018 under Sections 323, 324, 148, 149 IPC, registered at Police Station Fattu Dyinga, District Kapurthala along with G.D. No. 9 dated 13.04.2018 vide which offence under Section 326 IPC had been added and its other consequential proceedings, on the basis of compromise dated 10.06.2018 (Annexure P/3).

2. This Court while ordering notice of motion, had directed the parties to appear before the trial Court / Illaqa Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Sub Divisional Judicial Magistrate, Sultanpur Lodhi has sent his report dated 10.08.2018 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 cross version G.D. No. 028 dated 08.04.2018 under Sections 323, 324, 148, 149 IPC, registered at Police Station Fattu DHINGA, District Kapurthala and G.D. No. 9 dated 13.04.2018 vide which offence under Section 326 IPC had been added along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioners subject to payment of litigation cost of Rs. 3,000/- 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