

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

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**CRM-M-27940-2017 (O&M)
Decided on : 08.10.2018**

Gurdial Singh and another

...Petitioners

Versus

State of Punjab and others

. ..Respondents

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

Present : Mr. Arnav Sood, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Surinder Thakur, Advocate for respondents No.2 and 3.

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.32 dated 30.03.2013 under Sections 324, 323, 34 IPC, registered at Police Station Chabbewal, District Hoshiarpur and consequential proceedings arising therefrom on the basis of compromise 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 vide order dated 21.04.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Addl. Chief Judicial Magistrate, Hoshiarpur 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 would be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.32 dated 30.03.2013 under Sections 324, 323, 34 IPC, registered at Police Station Chabbewal, District Hoshiarpur 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 District Treasury, District Hoshiarpur, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

08.10.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No