

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-30922-2018 (O&M)
Date of Decision:-22.10.2018.

Gurbeer Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Rajwant Kaur, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Amartish Kaur, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of FIR No.0018 dated 09.02.2017 under Section 379 IPC, registered at Police Station, Malout District Sri Mukatsar Sahib (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 parties submitted that FIR is the outcome of some misunderstanding between the parties. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise.

3.) This Court vide order dated 24.07.2018 had directed the parties to appear before the Trial Court on 30.08.2018 for recording their

statements with regard to veracity of the compromise. The Sub-Divisional Judicial Magistrate, Malout has sent her report dated 01.09.2018 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 would be served by continuing the criminal proceedings. Therefore, petition is allowed and FIR No.0018 dated 09.02.2017 under Section 379 IPC, registered at Police Station, Malout District Sri Mukatsar Sahib (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners 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 each of the petitioner. Cost be remitted in the District Treasury, Sri Muktsar Sahib, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 22, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.