

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31063-2018 (O&M)
Date of Decision:-05.09.2018.

Gurdev Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Ms. Monika Mehta, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Rakesh Kumar, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.40 dated 07.04.2018 under Sections 323/324/452/148/149 IPC, registered at Police Station, Fattudhinga, District Kapurthala and all other consequential proceedings arising therefrom on the basis of compromise dated 10.06.2018 (Annexure P-2) arrived at between the parties. Cross-version of the present FIR i.e. G.D. No.028 dated 08.04.2018 has already been quashed by this Court vide order dated 27.08.2018 passed in CRM-M-28268-2018.

2.) Learned counsel for the parties submitted that FIR is the outcome of sudden quarrel and in fit of anger. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise.

3.) This Court vide order dated 25.07.2018 had directed the parties to appear before the Trial Court/Illaq Magistrate for 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.

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.40 dated 07.04.2018 under Sections 323/324/452/148/149 IPC, registered at Police Station, Fattudhinga, District Kapurthala and all other consequential proceedings arising therefrom are hereby quashed on the basis of compromise dated 10.06.2018 (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 2,000/- by each of the petitioner. Cost be remitted in the Treasury, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

September 05, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.