

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31134-2017 (O&M)
Date of Decision:-30.10.2018.

Kulwinder Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioners.

Mr. H.S. Grewal, Additional A.G. Punjab.

Mr. Deepak Aggarwal, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of FIR No.446 dated 28.08.2010 under Sections 382/384/323/342/506 and 34 IPC, registered at Police Station, Kotwali Bathinda, District Bathinda, Punjab and all other consequential proceedings arising therefrom on the basis of compromise dated 4.5.2017 (Annexure P-2) arrived at between the parties.

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 24.08.2017 had directed the parties to appear before the Trial Court on 25.09.2017 for recording their

statements with regard to veracity of the compromise. The Additional District & Sessions Judge, Bathinda has sent his report dated 15.11.2017 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.446 dated 28.08.2010 under Sections 382/384/323/342/506 and 34 IPC, registered at Police Station, Kotwali Bathinda, District Bathinda, Punjab and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 04.05.2017 (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, Bathinda, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 30, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.