

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

245

**CRM-M-3189-2017 (O&M)
Decided on : 27.09.2018**

Dr. Yadwinder Banga and another

...Petitioners

Versus

State of Punjab and another

. ..Respondents

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

Present : Mr.Sandeep Gahalawat, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

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

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.26 dated 18.02.2016 under Sections 406/420 IPC registered at Police Station Civil Lines, Patiala 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 some misunderstanding between the parties. Now the matter has been resolved and sought for quashing of FIR in view of compromise.

3. This Court by the order dated 01.02.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Patiala has sent her report dated 03.04.2018 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 will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.26 dated 18.02.2016 under Sections 406/420 IPC registered at Police Station Civil Lines, Patiala and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners subject to payment of litigation cost of Rs.5000/- by each of the petitioner to State of Punjab. Cost shall be remitted in the State Treasury, Patiala within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

27.09.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No