

In the High Court of Punjab and Haryana at Chandigarh

CRM M-36019 of 2018 (O&M)
Date of Decision: October 15, 2018

Rohit Kumar @ Ravi

... Petitioners

Versus

State of Punjab and another

... Respondents

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

Present: Mr. Om Pal Sharma, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. M.S. Rana, Advocate,
for respondent No.2.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 76, dated 03.05.2018, under Sections 323, 341, 379, 506, 148 and 149 IPC, registered at Police Station Division No.3, Ludhiana along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.07.2018 (Annexure P-2).

2. Learned counsel for the petitioner submitted that present FIR is an outcome of sudden quarrel and in fit of anger. Now with the intervention of friends, matter has been compromised.

3. This Court while ordering notice of motion, had directed the parties to appear before the Illaqa/Duty Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Ludhiana has sent his report dated 11.10.2018 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 undue influence or coercion.

4. In view of the law laid down in *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, present petition is allowed and FIR No. 76, dated 03.05.2018, under Sections 323, 341, 379, 506, 148 and 149 IPC, registered at Police Station Division No.3, Ludhiana along with all subsequent proceedings arising therefrom are hereby set aside qua the petitioner only subject to payment of litigation cost of Rs. 5,000/- by the petitioner to the State Treasury, Ludhiana within a period of three months from today.

October 15, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No