

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36387-2018 (O&M)
Date of Decision:-15.10.2018.

Shamar Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Shobit Phutela, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Shubnit Hans, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioners are seeking quashing of FIR No.78 dated 12.06.2017 under Sections 323/324/148/149 IPC (and Section 326 IPC added later on), registered at Police Station, Kot Isah Khan, Moga, Punjab (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise (Annexures P-2 and P-3) 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 24.08.2018 had directed the parties

to appear before the Illaqa Magistrate/Trial Court on 14.09.2018 for recording their statements with regard to veracity of the compromise. The Judicial Magistrate 1st Class, Moga has sent his report dated 24.09.2018 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.78 dated 12.06.2017 under Sections 323/324/148/149 IPC (and Section 326 IPC added later on), registered at Police Station, Kot Isah Khan, Moga, Punjab (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed on the basis of compromise (Annexures P-2 and P-3).

(P.B. BAJANTHRI)
JUDGE

October 15, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.