

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37421-2018 (O&M)
Date of Decision:-15.10.2018.

Manjinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....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 Nos.2 to 4.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.125 dated 23.10.2017 under Sections 323/324/452/148/149 IPC and offence under Section 326 IPC added vide G.D. No.07 dated 27.12.2017, registered at Police Station, Fattu DHINGA, District Kapurthala and all other consequential proceedings arising therefrom on the basis of compromise (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 29.08.2018 had directed the parties to appear before the Trial Court on 10.09.2018 for recording their statements with regard to veracity of the compromise. The Sub-Divisional Judicial Magistrate,

Sultanpur Lodhi has sent his report dated 11.09.2018 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. Sub Divisional Judicial Magistrate, Sultanpur Lodhi further stated in his report that petitioner No.3 did not appear for recording statement as he is out of country as per the statement of Manjinder Singh

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.125 dated 23.10.2017 under Sections 323/324/452/148/149 IPC and offence under Section 326 IPC added vide G.D. No.07 dated 27.12.2017, registered at Police Station, Fattu DHINGA, District Kapurthala and all other consequential proceedings arising therefrom are hereby quashed qua the petitioners Nos.1, 2 and 4 to 6 only on the basis of compromise (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 3,000/- by each of the petitioner. Petition qua petitioner No.3 stands dismissed as he did not appear for recording compromise statement before the Trial Court. Cost be remitted in the District Treasury, Kapurthala, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 15, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.