

In the High Court of Punjab and Haryana at Chandigarh

CRM M-44101 of 2017 (O&M)
Date of Decision: August 27, 2018

Randhir Singh and others

... *Petitioners*

Versus

State of Punjab and another

... *Respondents*

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

Present: Mr. Ravinder Singh Marahar, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Sukhtej Singh Sandhu, Advocate,
for respondent no. 2.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 109, dated 20.10.2017, under Sections 452, 323, 34 IPC, registered at Police Station Dhanaula, District Barnala on the basis of compromise/affidavit dated 27.10.2017 (Annexure P/2).

2. This Court while ordering notice of motion, had directed the parties to appear before the trial Court / Illaqa Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Barnala has sent his report dated 02.01.2018 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.

3. 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. 109, dated 20.10.2017, under Sections 452, 323, 34 IPC, registered at Police Station Dhanaula, District Barnala is hereby set aside subject to payment of litigation cost of Rs. 3,000/- by each of the petitioner to the Treasury, State of Punjab within a period of three months from today.

August 27, 2018

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[P.B. Bajanthri]

Judge

Whether reasoned / speaking : Yes

Whether reportable : No