

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

204

**CRM-M-9263-2013 (O&M)
Decided on : 13.11.2018**

Karnail Singh and others

...Petitioners

Versus

State of Punjab and another

. ..Respondents

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

Present : Mr. Ashok Giri, Advocate for the petitioners.

Mr. Nikhil K.Chopra, Addl. A.G. Punjab.

Mr. Bhriagu Agnihotri, Advocate for respondent No.2.

P.B.BAJANTHRI, J. (ORAL)

In the instant petition, petitioners are seeking quashing of FIR No.158 dated 31.08.2012 under Sections 447/427 IPC (Section 201 IPC added in challan) and Sections 25/54/59 Arms Act, registered at Police Station Adampur, District Jalandhar City and consequential proceedings arising therefrom. During the pendency of present petition, parties arrived at compromise.

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 vide order dated 31.07.2018 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, Jalandhar has sent his report dated 20.09.2018 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded and compromise appears to be genuine qua petitioners No.1 and 2. Petitioner No.3 has already been expired.

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 would be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.158 dated 31.08.2012 under Sections 447/427 IPC (Section 201 IPC added in challan) and Sections 25/54/59 Arms Act, registered at Police Station Adampur, District Jalandhar City and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners No.1 and 2 subject to payment of litigation cost of Rs.3000/- by each of the petitioners to State of Punjab. Cost shall be remitted in the State Treasury, District Jalandhar, State of Punjab within a period of 3 months from today. Proceeding against petitioner No.3 do not survive due to his death on 05.05.2017.

(P.B. BAJANTHRI)
JUDGE

13.11.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No