

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

CRM-M-49568 of 2017 (O&M)

Date of Decision:03.10.2018

Jaswant Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

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

Present : Mr. Shekhar Kumar, Advocate
for the petitioner.

Mr. Sukhbeer Singh, A.A.G. Punjab.

Mr. Parash Jagga, Advocate
for respondent No.2.

P.B. BAJANTHRI J. (Oral)

Petitioner has sought for quashing of FIR No.162 dated 26.09.2017 (Annexure P-1) registered under Sections 406, 420 and 409 IPC at Police Station Nihalsingwala, District Moga, Punjab on the basis of compromise (Annexure P-2).

2. Learned counsel for the petitioner submitted that present FIR is an out come of some misunderstanding over money transaction. Now by the intervention of the respectable friends, matter was compromised.

3. Parties have entered into a compromise vide Annexure P-2. This Court by order dated 22.12.2017 directed the parties to appear before the Illaqa Magistrate for recording their statements with regard to veracity of compromise. It has been recorded by the Judicial Magistrate Ist Class, Moga and a report in this regard has been sent to this Court vide letter dated 24.09.2018 from which it is evident that compromise Annexure P-2 is genuine, voluntary and without any coercion or undue influence.

4. In view of the law laid down in **Anita Maria Dias and another**

v. *State of Maharashtra and another*; (2018) 3 SCC 290, no useful purpose would be served by continuing the criminal proceedings. Therefore, the present petition is allowed and FIR No.162 dated 26.09.2017 (Annexure P-1) registered under Sections 406, 420 and 409 IPC at Police Station Nihalsingwala, District Moga, Punjab alongwith all consequential proceeding arising out of the same are hereby quashed subject to payment of litigation cost of Rs.5000/- by the petitioner. Cost shall be remitted in the Treasury, District Moga State of Punjab, within a period of 2 months from today.

03.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**