

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-35134-2018 (O&M)

Date of Decision:-31.10.2018.

Gurcharan Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Fariad Singh Virk, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Ranjeet K. Jaswal, Advocate for respondent Nos.2 to 4.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioner is seeking quashing of FIR No.39 dated 14.02.2015 under Sections 419/420/465/467/468/120-B IPC, registered at Police Station, Tripuri, Patiala (Annexure P-2) and all other consequential proceedings arising therefrom on the basis of compromise dated 18.05.2018 (Annexure P-3) arrived at between the parties.

2.) Learned counsel for the parties submitted that FIR is the outcome of some misunderstanding. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise.

3.) This Court vide order dated 06.09.2018 had directed the parties to appear before the Trial Court on 12.10.2018 for recording their

statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Patiala has sent her report dated 23.10.2018 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.39 dated 14.02.2015 under Sections 419/420/465/467/468/120-B IPC, registered at Police Station, Tripuri, Patiala (Annexure P-2) and all other consequential proceedings arising therefrom are hereby quashed qua the petitioner only on the basis of compromise dated 18.05.2018 (Annexure P-3), subject to payment of litigation cost to the State of Punjab a sum of ₹ 5,000/- by the petitioner. Cost be remitted in the District Treasury, Patiala, State of Punjab within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 31, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.