

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

CRM-M-16932 of 2015.

Decided on:-02.11.2015.

Chetan Dharna and others

.....Petitioners.

Versus

State of U.T., Chandigarh and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Chanchal K. Singla, Advocate
for the petitioners.

Mr. Sansar Kundu, Advocate for
Mr. G.S. Chahal, APP for U.T., Chandigarh.

Mr. Aditya Kumar Sharma, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.170 dated 3.4.2013 under Sections 498-A and 406 IPC registered at Police Station Sector-34, Chandigarh (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement deed dated 25.11.2014 (Annexure P-2).

This Court vide order dated May 21, 2015 had directed the

parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to submit its report regarding genuineness of compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Chandigarh and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 20.7.2015 to the effect that the parties have arrived at a volunteer compromise without any coercion or pressure.

The aforesaid fact as well as the compromise between the parties has not been disputed by learned State counsel as well as learned counsel for respondent No.2-complainant.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Hon'ble Supreme Court in ***Gold Quest International Private Limited Versus State of Tamil Nadu and others 2014 (4) RCR (Criminal) 206*** has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C. read with Article 226 of the Constitution.

Thus, following the principles laid down by the Full Bench

judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*** as also in the light of ***Gold Quest International Private Limited's case (supra)*** this petition is allowed and F.I.R. No.170 dated 3.4.2013 under Sections 498-A and 406 IPC registered at Police Station Sector-34, Chandigarh (Annexure P-1) and all consequential proceedings arising therefrom is quashed, on the basis of compromise/settlement deed dated 25.11.2014 (Annexure P-2).

November 02, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE