

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

**CRM No.M-17162 of 2014 (O&M)
Decided on : 17.03.2015**

Waryam Singh & ors.

.... Petitioner(s)

Vs.

State of Punjab and anr.

.... Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. R.S.Bajaj, Advocate
for the petitioners.

Mr. Deepak Garg, AAG, Punjab.

Mr. G.S.Jagpal, Advocate
for respondent No.2.

MAHESH GROVER, J.(Oral)

This is a petition under Section 482 Cr.P.C praying for quashing of FIR No.27 dated 03.09.2013 registered under Sections 495, 498-A & 34 IPC at Police Station NRI District Jalandhar and all consequent proceedings arising therefrom on the basis of a compromise.

On 19.05.2014, this Court had directed the Trial Court to record the statement of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties and a report in this regard was also called for.

That report has since been received along with copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter. It is also stated that proclamation proceedings are pending against petitioner No.3. As the complainant has compromised the matter with the accused persons and there being

a marital dispute between the parties, which has not been settled, no useful purpose will be served by continuing the proclamation proceedings against accused No.3 also.

The Hon'ble Supreme Court in ***Gold Quest International Private Ltd. vs. State of Tamil Nadu and others, 2014(4) RCR (Crl.) 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.PC read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court in ***Sube Singh & anr. vs. State of Haryana & anr., 2013(4) RCR (Crl.) 102*** has held that the High Court is vested with unparalleled power to quash criminal proceedings at any stage to secure the ends of justice .

Having regard to the aforesaid and the observations made by the Full Bench of this Court in ***Kulwinder Singh v. State of Punjab reported as 2007(3) Law Herald 2225*** and of Hon'ble Supreme Court in ***Gian Singh Vs. St. of Punjab*** reported as ***2012 (4) RCR (Crl.) 543***, instant petition is accepted. Consequently, FIR No.27 dated 03.09.2013 registered under Sections 495, 498-A & 34 IPC at Police Station NRI District Jalandhar and all consequent proceedings arising therefrom are hereby quashed.

17.03.2015
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(Mahesh Grover)
Judge