

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM no.M-24282 of 2014 (O&M)
Decided on :05.05.2015

Yunis Masih and others

....Petitioner(s)

VERSUS

Amrik Masih

....Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Vishal Munjal, Advocate for the petitioners

Mr. Vipin Mahajan, Advocate for respondent

MAHESH GROVER, J

This is a petition under Section 482 Cr.P.C praying for quashing of criminal complaint no.21 dated 23.1.2009 titled as 'Amrik Masih vs. Yunis Masih and others' and summoning order dated 28.7.2012 on the basis of a compromise.

On 14.10.2014, this Court had directed the Trial Court/Illaq Magistrate 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.

That report has since been received alongwith 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.

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.P.C 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 (CrI) 102** has held that the High Court is vested with unparallel 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 (CrI.) 543, instant petition is accepted. Consequently, criminal complaint no.21 dated 23.1.2009 titled as 'Amrik Masih vs. Yunis Masih and others' and summoning order dated 28.7.2012 are hereby quashed.

May 05, 2015
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(Mahesh Grover)
Judge