

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

**CRM No.M-28105 of 2014 (O&M)
Decided on : 21.05.2015**

Tajinder Singh & ors.

.... Petitioner(s)

Vs.

State of Punjab and anr.

.... Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Ishaan Pasricha, Advocate
for the petitioners.

Mr. R.S.Randhawa, Addl.AG, Punjab

Mr. Arjun Atri, 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.225 dated 26.11.2013 registered under Sections 498-A, 406 & 506 IPC (Section 377 IPC was added later on) at Police Station Sultanpur, Kapurthala on the basis of compromise.

On 17.10.2014, 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.

The Court would be reluctant to quash the FIR as Section 377 IPC was added later on but keeping in view the fact that it is a marital discord and the dispute is inter se between the husband and wife and the matter has been settled between the parties, I deem it

appropriate to grant the prayer made in the petition.

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. Therefore, the present petition is accepted and the FIR No.225 dated 26.11.2013 registered under Sections 498-A, 406 & 506 IPC (Section 377 IPC was added later on) at Police Station Sultanpur, Kapurthala qua petitioners are hereby quashed.

The present petition stands disposed of.

21.05.2015
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(Mahesh Grover)
Judge