

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

**Criminal Misc. No. M-29056 of 2015 (O&M)
Date of Decision: 23.09.2015**

Paramjit Singh

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

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. Kamal Chaudhary, Advocate
for the petitioner (s).

Mr. Desh Bandhu, AAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.142 dated 30.5.2013 under Sections 406/498-A/323/34 IPC registered at Police Station Chandi Mandir (Panchkula) and all other subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 31.7.2015 (Annexure P-2) sworn in by the complainant.

This Court vide order dated 28.8.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to the compromise/settlement and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 28.8.2015, the

parties have appeared before the Judicial Magistrate Ist Class, Panchkula and have got their statements recorded. On the basis of statements so recorded, learned Magistrate has forwarded his report dated 9.9.2015 to the effect that the parties have voluntarily settled their dispute. As per the statement of the complainant Saroj Kaur, she has no objection to the FIR being quashed.

Learned counsel for the petitioner contends that since the complainant has suffered a statement to the effect that she has compromised the matter voluntarily, out of her own free will, without any threat, pressure, force or coercion and she has no objection if the present FIR is quashed, the present petition deserves to be accepted.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Hon'ble the Apex Court in **Gold Quest International Private Ltd. vs. 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.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, this petition is allowed and FIR No.142 dated 30.5.2013 under Sections 406/498-A/323/34 IPC registered at Police Station Chandi Mandir (Panchkula) and all other subsequent proceedings arising therefrom are quashed, *qua* the petitioner, in view of compromise/affidavit dated 31.7.2015 (Annexure P-2) of the complainant.

September 23, 2015
AK

(HARI PAL VERMA)
JUDGE