

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

**Criminal Misc. No. M-29174 of 2015 (O&M)
Date of Decision: 23.09.2015**

Bina Gambhir & others

...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. Ashit Malik, Advocate
for the petitioner (s).

Mr. Desh Bandhu, AAG, Haryana.

Mr. Akashdeep Singh, Advocate
for respondent no.2.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.231 dated 18.10.2014 under Sections 498-A/406/323/506/34 IPC registered at Police Station PGIMS Rohtak, District Rohtak on the basis of compromise/settlement dated 1.8.2015 (Annexure P-2).

This Court vide order dated 31.8.2015 had directed the parties to appear before the trial Court for recording their statements with regard to the compromise/settlement and the trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 31.8.2015, the

parties have appeared before the Judicial Magistrate Ist Class, Rohtak and have got their statements recorded. On the basis of statements so recorded, learned Magistrate has forwarded his report dated 10.9.2015 to the effect that the compromise arrived between the parties is voluntarily, without any coercion or undue influence and the same appears to be genuine. As per the statement of the complainant Kanika Puri, she has got her statement recorded without any pressure and has no objection to the FIR being quashed.

Learned counsel for the petitioners 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.

Learned counsel for the complainant-respondent no.2 does not dispute the factum of compromise entered into between the parties.

Thus, 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.231 dated 18.10.2014 under Sections 498-A/406/323/506/34 IPC registered at Police Station PGIMS Rohtak, District Rohtak is quashed, *qua* the petitioners, in view of compromise dated 1.8.2015 (Annexure P-2).

September 23, 2015
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(HARI PAL VERMA)
JUDGE