

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

**Criminal Misc. No. M-33215 of 2015  
Date of Decision:-03.12.2015**

Mandeep Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

**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. Chetan Chauhan, Advocate for  
Mr. G.S. Bhatia, Advocate  
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

**HARI PAL VERMA J.(Oral)**

Prayer in the present petition is for quashing of FIR No.214 dated 11.12.2014, under Sections 498-A, 406 and 506 IPC, registered at Police Station Chattiwind, District Amritsar Rural (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 13.8.2015 (Annexure P-3).

Learned counsel for the parties submit that the matter has been compromised between the parties, for which statements of the parties have been recorded before the learned Judicial Magistrate 1<sup>st</sup> Class, Amritsar, on 13.10.2015, as directed by this Court vide order dated

29.9.2015. As per the statement of the complainant, the matter has been settled between the parties. The mutual consent has not been obtained by force, fraud, undue influence, threat to anybody.

Vide order dated 29.9.2015, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 29.9.2015, the parties have appeared before the learned Magistrate on 13.10.2015 for getting their statements recorded.

The report dated 19.10.2015 received from the learned Judicial Magistrate 1<sup>st</sup> Class, Amritsar, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant-Lakhwinder Kaur before the Judicial Magistrate 1<sup>st</sup> Class, Amritsar, on 13.10.2015 reads as under :-

*“Stated that I have lodged the F.I.R. No.214 dated 11.12.2014, under Sections 498-A, 406, 506 IPC, P.S. Chattiwind, Amritsar against Mandeep Singh, Puran Singh father-in-law, Sukhjinder Kaur mother-in-law, Gurwinder Singh that in the mediation center at Punjab and Haryana High Court compromise was effected between the parties. Copy Ex.C1 as per compromise I have already withdrawn cases under Section 125 Cr.P.C. and under Section 12 Domestic Violence Act from the Court. Me and Mandeep Singh have filed petition under Section 13-B of HMA and our statements have already been recorded in the Court of Additional District Judge, Amritsar. Out of the settled amount of*

*Rs.4 lacs 10 thousands, I have received Rs.2 lacs 5 thousands from Mandeep Singh, my husband, as per the term of compromise Ex.C1 and remaining amount shall received by me at the time of final statement in divorce proceedings as per Ex.C1. The compromise is Ex.C1 executed out of my free will and consent. I have no objection for quashing the F.I.R. No.214 dated 11.12.2014 under Sections 498-A, 406, 506 IPC, P.S. Chattiwind, District Amritsar in CRM-M-33215 of 2015.”*

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Having considered the statement made by the parties before the Judicial Magistrate 1<sup>st</sup> Class, Amritsar on 13.10.2015, this Court feels that the pendency of the FIR in question is a futile exercise.

The Hon'ble Supreme 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 vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)*** and approved

by the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab and others, (2012)10 SCC 303***, as well as judgment of Hon'ble Supreme Court in ***Gold Quest International Private Ltd. vs. State of Tamil Nadu and others, 2014(4) RCR (Criminal) 206***, this petition is ***allowed*** and FIR No.214 dated 11.12.2014, under Sections 498-A, 406 and 506 IPC, registered at Police Station Chattiwind, District Amritsar Rural and the consequential proceedings arising therefrom are hereby quashed qua the petitioners.

December 03, 2015  
*Vijay Asija*

**( HARI PAL VERMA )**  
**JUDGE**