

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-37694 of 2012 (O&M)

Date of Decision: 19.10.2015

Umesh Singh & 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. Ram Bilas Gupta, Advocate
for the petitioner (s).

Mr. Parveen Aggarwal, DAG, Haryana.

Mr. Aseem Aggarwal, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.407 dated 16.10.2012 under Sections 498-A, 323, 506, 34 IPC registered at Police Station Saran, District Faridabad (Annexure P-1), and subsequent proceedings arising therefrom.

On 13.5.2015, at the request of learned counsel for the parties, the matter was referred to Mediation and Conciliation Centre

of this Court, as there was possibility of compromise between the parties.

Learned counsel for the parties submit that pursuant to the aforesaid order dated 13.5.2015, the parties have appeared before the Mediation and Conciliation Centre of this Court and an agreement/settlement has arrived at between them.

The Mediation and Conciliation Centre has also forwarded its report dated 17.8.2015 to the effect that both the parties have settled their dispute by way of settlement/agreement dated 12.8.2015, which is part of record.

Learned counsel for the complainant also admits the factum of compromise/settlement and has no objection to the FIR being quashed.

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.407 dated 16.10.2012 under Sections 498-A, 323, 506, 34 IPC registered at Police Station Saran, District Faridabad (Annexure P-1) and subsequent proceedings arising therefrom are quashed, *qua* the petitioners, in view of settlement/agreement dated 12.8.2015 effected between the parties before the Mediation and Conciliation Centre of this Court.

Needless to say that the parties shall remain bound by the terms of settlement reached between them before the Mediation and Conciliation Centre of this Court.

October 19, 2015
AK

(HARI PAL VERMA)
JUDGE