

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM no.M-412 of 2015 (O&M)
Decided on :05.05.2015

Dinesh Ruhai and others

....Petitioner(s)

VERSUS

State of Haryana and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Sandeep Kotla, Advocate for the petitioners

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

Ms.Sudesh, respondent no.2 in person.

MAHESH GROVER, J

This is a petition under Section 482 Cr.P.C praying for quashing of FIR No 519 dated 24.7.2012 registered under Sections 376, 354, 511, 356, 323, 325, 506, 498-A, 406 IPC and Sections 25, 54, 59 of Arms Act at Police Station Model Town, Panipat and all consequent proceedings arising therefrom on the basis of a compromise.

Reply on behalf of respondent no.1 has been filed in the Court today and the same is taken on record.

The dispute essentially is arising out of a marital discord. Initially the provisions of Section 376, 356, 511, 325 IPC were added alongwith Sections 25, 54, 59 of Arms Act subsequent investigation in the matter however resulted in deletion of provisions of Sections 376, 356, 511, 325 IPC and 25/54/59 of Arms Act.

The deletion of the aforesaid offences has taken out the sting from the allegations made by the complainant leaving it to be an ordinary

marital discord which now stands settled.

Complainant – respondent no.2 is present in person. She is accompanied by her father. Both of them have got recorded their statements separately to the effect that they have no objection if the aforesaid FIR and all consequent proceedings arising therefrom are quashed.

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.P.C 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 unparallel 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. Consequently, FIR No 519 dated 24.7.2012 registered under Sections 376, 354, 511, 356, 323, 325, 506, 498-A, 406 IPC and Sections 25, 54, 59 of Arms Act at Police Station Model Town, Panipat and all consequent proceedings arising therefrom qua all the petitioners herein are hereby quashed.

May 05, 2015
rekha

(Mahesh Grover)
Judge