

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-5527-2015
Date of decision: 31.07.2015

Yashwant Jain .. Petitioner
Vs.
U.T Chandigarh and another .. Respondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. R.S.Athwal , Advocate for the petitioners.
Ms.Aashima Mor, Advocate for U.T, Chandigarh.
Mr. N.G.Sharma, Advocate for complainant.

Mahesh Grover, J

This is a petition under Section 482 of the Code of Criminal Procedure praying for quashing of FIR No.288 dated 06.10.2014 under Sections 354 and 506 IPC registered at Police Station 36, Chandigarh and all consequential proceedings arising therefrom on the basis of compromise.

The petitioner is the father-in-law of respondent no.2. The backdrop of the allegations is on account of marital discord between the son of the petitioner and respondent no.2 which has been settled and the marriage dissolved. In this FIR, the allegations against the petitioner are under Section 354 IPC.

On 10.04.2015, this Court had directed the trial Court/ Illaqa Magistrate to record the statements of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties and a report in this regard was also called for.

That report has since been received along with copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

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.

The Hon'ble Division Bench of this Court hold in **Sube Singh and another v. State of Haryana and another**, 2013(4) RCR (Criminal) 102 that the High Court is vested with unparallel power to quash the 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 v. State of Punjab** reported as 2012(4) RCR (Criminal) 543, instant petition is accepted. Consequently, FIR No.288 dated 06.10.2014 under Sections 354 and 506 IPC registered at Police Station 36, Chandigarh and all consequential proceedings arising therefrom qua the petitioners are hereby quashed.

31.07.2015

mamta

**(Mahesh Grover)
Judge**