

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-6816-2015

Anjali Mahant and others .. Petitioners

Vs.

State of Punjab and others .. Respondents

AND

Crl. Misc. No. M-6875-2015

Decided on: 06.07.2015

Manju Mahant and others ...Petitioners

Vs.

State of Punjab and othersRespondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Vipul Dharmani, Advocate for the petitioners in CRM-M-6816-2015 and respondents no.2 and 3 in CRM-M- 6875-2015.
Mr.Ravinder Singh Randhawa, Addl. A. G. Punjab.
Mr. Gagan Oberoi, Advocate for the petitioners in CRM-M-6875-2015 and respondents no.2 and 3 in CRM-M-6816-2015.

Mahesh Grover, J

Since both the abovesaid petitions arise from the same FIR and the parties are also same, therefore, these are being decided by this common order.

In petition bearing No. CRM-M-6816-2015, the petitioners have prayed for quashing of case FIR No.94 dated 05.10.2013, registered under Sections 323, 341, 506 read with Section 34 IPC, at Police Station Nurpur Bedi, District Roopnagar, Punjab whereas in petition No. CRM-M-6875-2015, the petitioners have prayed for quashing of cross version

registered vide DDR No.28 dated 05.10.2013 under Sections 324 and 506 read with Section 34 IPC at Police Station Nurpur Bedi, District Roopnagar, Punjab in the abovesaid FIR alongwith all consequential proceedings. Both the parties have alleged that they have compromised the mater.

On 02.03.2015, in both the cases, this Court had directed the learned Illaqa Magistrate to record the statement 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 reports have since been received along with copies of the statements of the affected persons which also indicate 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 petitions are accepted. Consequently, FIR No.94 dated 05.10.2013, registered under Sections 323, 341, 506 read with Section 34 IPC, at Police Station Nurpur Bedi, District Roopnagar, Punjab and Cross Version DDR No. 28 dated 05.10.2013 under Sections 324 and 506 read with Section 34 IPC, registered at Police Station Nurpur Bedi, District Roopnagar, Punjab and all consequential proceedings arising therefrom qua the petitioners in both the cases are hereby quashed.

06.07.2015

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(Mahesh Grover)
Judge