

257.

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

CRM-M-18224-2018

Date of decision:04.07.2018

SUKHBIR SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.32 dated 08.03.2018 under Section 498-A IPC, registered at Police Station Chhajali (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1).

This Court vide order dated 02.05.2018 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 14.06.2018 to the effect that the parties have arrived

at compromise with their free volition, without any inducement, threat, promise, coercion or undue influence from any quarter.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Ravinder Kaur Sekhon but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 31.05.2018. The same is reproduced as under:-

“Stated that I have compromised the matter in the present FIR with the accused namely Sukhbir Singh Sekhon son of Baghel Singh, resident of Jhalian Patti, near Hospital, Patran Road, Mehlan, Tehsil Sunam, District Sangrur that in FIR No.32 dated 08.03.2018 under Sections 498-A of Indian Penal Code, P.S. Chhajli, District Sangrur. The compromise in above said FIR has been arrived at between party (between me and accused person) is genuine, voluntarily, without any coercion and undue influence and pressure with my freewill. I have no objection if the present FIR No.32 dated 08.03.2018 under Sections 498-A of Indian Penal Code, P.S Chhajli, District Sangrur be quashed against the accused person.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Hon'ble Supreme Court in **Gold Quest International Private Limited Versus 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.

Thus, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303** as also in the light of **Gold Quest International Private Limited's case** (*supra*), this petition is allowed and F.I.R. No.32 dated 08.03.2018 under Section 498-A IPC, registered at Police Station Chhajali (Annexure P-2) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise (Annexure P-1).

(HARI PAL VERMA)
JUDGE

04.07.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No