

278.

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

CRM-M-1509-2019

Date of decision:15.10.2019

MANJIT KAUR AND OTHERS

... Petitioners

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Balwinder Singh, Advocate,
for the petitioners.

Ms. Priyanka Sadar, AAG, Haryana,
for respondent No.1.

Mr. Sudhir Paruthi, Advocate,
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.80 dated 12.04.2015 registered under Sections 323, 406, 354, 498-A, 506, 120-B of IPC at Police Station Pinjore, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 15.01.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 Sub Divisional Judicial Magistrate, Kalka and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.02.2019 to the effect that the compromise has been effected between the parties voluntarily and without any pressure. Learned Magistrate has further submitted that there are five accused in the present case, however, the accused Krishan (petitioner No.2) has been declared proclaimed person vide order dated 21.01.2017.

In view of above, learned counsel for the petitioners does not press this petition at this stage qua petitioner No.2-Krishan Kumar.

Accordingly, present petition stands dismissed as not pressed qua petitioner No.2-Krishan Kumar.

Respondent No.2-complainant, namely, Suresh Kumari has made her statement with regard to compromise before learned Magistrate on 20.02.2019 to the effect that she has compromised the matter with the accused and has no objection in case the FIR in question is quashed qua the petitioners.

Learned State counsel as well as learned counsel for respondent No.2 have 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.80 dated 12.04.2015 registered under Sections 323, 406, 354, 498-A, 506, 120-B of IPC at Police Station Pinjore, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners No.1 and 3 to 5, namely, Manjit Kaur, Rachna Ram, Pyari Devi and Bittu @ Satnam Singh respectively, on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

15.10.2019
sanjeev

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