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

CRM-M-1801-2019

Date of decision:12.03.2019.

GAURAV KUMAR AND OTHERS

... Petitioners

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Narinder Singh Dadwal, Advocate,
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab,
for respondent No.1.

Mr. Jagjit Singh, 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.84 dated 06.11.2013 registered under Sections 406, 498-A of IPC at Police Station Haryana, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.11.2018 (Annexure P-2).

This Court vide order dated 17.01.2019 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 Judicial Magistrate Ist Class, Hoshiarpur and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.02.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sumita has made her statement with regard to compromise before learned Magistrate on 02.02.2019. The same is reproduced as under:-

“Stated that on my complaint present case FIR No.84 dated 06.11.2013 u/s 498 A, 406 IPC PS Haryana was registered against accused Gaurav Kumar. Later on Jai Dev Singh and Vijay Kumari were summoned as additional accused in the present case. Now with the intervention of the respectables of the society I have voluntarily, with my own sweet-will without any pressure or coercion compromised the matter with the accused person. Copy of the compromise is Ex.A1. I do not have any objection if the present case is quashed and accused are acquitted by the Hon'ble Court.”

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 F.I.R.

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

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.84 dated 06.11.2013 registered under Sections 406, 498-A of IPC at Police Station Haryana, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 13.11.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.03.2019
sanjeev

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