

286.

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

CRM-M-3379-2019

Date of decision:21.05.2019

DEEPAK KASHYAP AND ORS.

... Petitioners

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Ms. Priyanka Sadar, AAG, Haryana,
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.372 dated 17.10.2015 registered under Sections 34, 406, 498-A of IPC at Police Station Madhuban, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/joint statement dated 04.12.2018 of the parties made before the District Judge (Additional Family Court), Karnal (Annexure P-2).

This Court vide order dated 24.01.2019 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 Chief Judicial Magistrate, Karnal and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.03.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sangeeta, but no prejudice would be caused to her as she has already made her statement along with the accused with regard to compromise before learned Magistrate on 16.03.2019 to the effect that compromise has been effected between the parties voluntarily and without any coercion or undue influence and have no objection in case the FIR in question is quashed.

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 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 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

(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.372 dated 17.10.2015 registered under Sections 34, 406, 498-A of IPC at Police Station Madhuban, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/joint statement dated 04.12.2018 of the parties made before the District Judge (Additional Family Court), Karnal (Annexure P-2).

(HARI PAL VERMA)
JUDGE

21.05.2019
sanjeev

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