

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M-5935-2019

Date of Decision: 14.08.2019

Sandeep Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: None.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.599 dated 09.09.2016 under Sections 323, 406, 498-A, 506 IPC, registered at Police Station Sadar Palwal, District Palwal (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise-deed dated 03.12.2018 (Annexure P-2).

This Court vide order dated 08.02.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Palwal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.05.2019 to the effect that the compromise has

been reached voluntarily between the parties and they have made their

statements voluntarily without any threat, inducement or pressure.

Though no one is present on behalf of respondent No.2-complainant-Krishan in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 26.02.2019 to the effect that they have compromised the matter and she has no objection if the FIR in question registered against the petitioner-accused is quashed.

Since the parties have started staying together, the present petition deserves to be accepted.

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 when the disputes are substantially matrimonial in nature, or are civil property disputes with criminal facets, if the parties enter into a settlement, and it becomes 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 of India.

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***, as approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*** also, in the light of ***Gold Quest International Private Limited's case (supra)***, this petition is allowed and FIR No.599 dated 09.09.2016 under Sections 323, 406, 498-A, 506 IPC, registered at Police Station Sadar Palwal, District Palwal(Annexure P-1) and all the

consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise-deed dated 03.12.2018(Annexure P-2).

August 14, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No