

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-7240-2019

Date of Decision:28.05.2019

Gurpreet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

**Present:** Mr. Yogesh Saini, Advocate for  
Mr. Bhoop Singh, Advocate,  
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. Amandeep Singh, Advocate,  
for respondent No.2.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.101 dated 13.09.2016 under Section 498-A IPC, registered at Police Station Women Cell, Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of the compromise dated 05.12.2018 (Annexure P-2).

This Court vide order dated 20.02.2019 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 1<sup>st</sup> Class, Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.04.2019 to the effect that the compromise is voluntarily without any pressure being result of amicable settlement between the parties.

Respondent No.2-complainant, namely, Harpreet Kaur, has made statement with regard to compromise before learned Magistrate on 29.03.2019. The same is reproduced as under:-

*“Stated that I have got registered an FIR No.101 dated 13.09.2016 u/s 498-A, IPC at Women Police Station, Ludhiana, against Gurpreet Singh S/o Daljit Singh trial of which is pending in this Hon'ble Court for today. With the intervention of the respectable of the society compromise has been effected between us vide compromise copy of the which is Ex.PA. Gurpreet Singh has filed a petition u/s 482 Cr.P.C. for the quashing of the FIR in the Hon'ble Punjab & Haryana High Court on the basis of compromise. I have no objection if the aforesaid FIR is quashed by the Hon'ble High Court in lieu of the compromise Ex.PA entered into between me and my husband Gurpreet Singh. We have also jointly filed a petition u/s 13-B HMA, which is pending in the Hon'ble Court Ms. Sanjeeta, ADJ, Ludhiana pending for 04.07.2019 for recording the final motion statement. As per compromise Ex.PA, I have received an amount of Rs.7,50,000/- from Gurpreet Singh in two installment out of the total amount of Rs.12 Lac. The remaining amount of Rs.4,50,000/- is pending towards Gurpreet Singh and the same shall be paid by him at the time of recording of final motion statement in petition u/s 13-B, HMA. We have entered into the compromise with our free will and without coercion and I shall remain bound with the terms and conditions of compromise Ex.PA.”*

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 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.101 dated 13.09.2016 under Section 498-A IPC, registered at Police Station Women Cell, Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 05.12.2018 (Annexure P-2).

The parties shall remain bound by the terms & conditions of the compromise dated 05.12.2018 (Annexure P-2) in letter and spirit.

In case any of the parties violate the terms of the compromise, he shall be amenable to contempt proceedings.

May 28, 2019  
seema

(HARI PAL VERMA)  
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No