

277.

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

CRM-M-10742-2019

Date of decision:16.05.2019

RANBIR SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Munish Puri, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. Sandeep Saini, 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.116 dated 21.11.2012 registered under Sections 498A, 406, 506 and 34 of IPC at Police Station Kanwan, Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.12.2017 (Annexure P-2).

This Court vide order dated 12.03.2019 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, Pathankot and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.03.2019 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Ramandeep Kaur has made her statement with regard to compromise before learned Magistrate on 20.03.2019. The same is reproduced as under:-

“That the matter has been compromised between me and the accused Ranbir Singh, who is my brother in law. I have already arrived into compromise with other two nominated accused namely Balbir Singh (Husband) and Manjit Kaur (Mother in law) and separately filed quashing petition by them has been accepted by Hon'ble High Court. Present compromise Ex.P1 is arrived into between us, due to intervention of family member and respectables, in order to maintain good future relation and harmony between us. Said compromise is voluntarily, without any force and pressure by the accused party. I am only complainant in this case FIR. I do not want to proceed against the accused in the FIR no.116 dated 21.11.2012, under sections 498A/406/506/34 IPC registered at police station Kanwan. I have no objection if the FIR against the accused person namely Ranbir Singh is quashed and quashing petition be accepted.”

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***

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.116 dated 21.11.2012 registered under Sections 498A, 406, 506 and 34 of IPC at Police Station Kanwan, Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 11.12.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

16.05.2019
sanjeev

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