

274.

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

**CRM-M-14509-2019 (O&M)**

Date of decision:07.05.2019

ABHISHEK BAJAJ

... Petitioner

versus

STATE OF HARYANA AND ANR.

.... Respondents

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

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Present: Mr. Sachin Mittal, Advocate,  
for the petitioner.

Mr. Manish Bansal, DAG, Haryana,  
for respondent No.1.

None 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 F.I.R. No.0086 dated 08.07.2018 registered under Sections 34, 406, 498-A of IPC at Women Police Station, Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.02.2019/08.03.2019 (Annexure P-2).

This Court vide order dated 29.03.2019 had directed the parties to appear before the trial Court/Illaq Magistrate 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, Gurugram and got their statements

submitted report dated 23.04.2019 to the effect that the compromise has been effected between the parties voluntarily and without any influence or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Kanika but no prejudice would be caused to her as she has already suffered a statement with regard to compromise before learned Magistrate on 19.04.2019 to the effect that she has compromised the matter with the accused voluntarily, without any pressure or coercion and has no objection in case the FIR in question is quashed against the petitioner.

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 FIR.

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 Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others***

***Limited's case*** (*supra*), this petition is allowed and F.I.R. No.0086 dated 08.07.2018 registered under Sections 34, 406, 498-A of IPC at Women Police Station, Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.02.2019/08.03.2019 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

07.05.2019  
sanjeev

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