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

CRM-M-29317-2018

Date of decision:11.03.2019.

MANJEET SINGH @ MANJIT SINGH AND ORS ... Petitioners

versus

STATE OF HARYANA AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

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

Mr. Anandeshwar Gautam, Advocate, for
Mr. Balraj Sharma, 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.227 dated 19.07.2014 registered under Sections 498-A, 406, 323, 328, 506, 34 of IPC at Police Station Sadar, Narwana, District Jind (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 31.05.2018 (Annexure P-2).

Counsel appearing on behalf of respondent No.2 states that the matter has been resolved between the parties before the Mediation and Conciliation Centre of this Court and a settlement/agreement dated 31.05.2018 (Annexure P-2) has been reduced into writing.

This Court vide order dated 16.07.2018 had directed the parties to appear before the trial Court to get their statements recorded and the

learned Magistrate was directed to send its report qua the genuineness of the compromise. However, the parties could not appear before the trial Court and again vide order dated 14.09.2018, the parties were directed to appear before the trial Court for recording their statements in support of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional District & Sessions Judge, Jind and got their statements recorded. On the basis of the statements so recorded, learned Additional District & Sessions Judge has submitted report dated 16.11.2018 to the effect that the compromise effected between the parties is genuine.

Respondent No.2-complainant, namely, Mukesh, who is present in person, fairly states that the matter has been compromised between the parties. She has made her statement with regard to compromise before learned Additional District & Sessions Judge on 28.09.2018. The same is reproduced as under:-

“Stated that I have been married with accused Manjeet. A male child namely Archit was born out of our wedlock. There was a dispute between me and my husband and his family members which has now been amicably settled before Mediation Center of Hon'ble High Court of Punjab and Haryana, on dated 31.05.2018. The compromise dated 31.05.2018 is voluntarily without any pressure, coercion or threat upon me. I am making this statement out of my free will and the compromise between both parties is genuine. As per compromise a sum of Rs.8,00,000/- has already been received by me and remaining amount of Rs.5,00,000/- through a Draft No.456915 has been received today in the court and now nothing remained due towards the second party. As per compromise, I have also handed over the custody of male child

Archit to his father Manjeet in the Court. All other proceedings pending in other courts against each other will be withdrawal by both the parties. The both parties will abide by the terms and conditions of the settlement/agreement dated 31.05.2018 Mark-A which is true copy of the original compromise which is available in the file of Hon'ble Punjab and Haryana High Court. I request the court to terminate the present proceedings.”

Learned State counsel as well as learned counsel appearing on behalf of 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 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.227 dated

at Police Station Sadar, Narwana, District Jind (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/settlement dated 31.05.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.03.2019
sanjeev

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