

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

268

CRM-M-17119-2019

Date of Decision:02.09.2019

Dheeraj Kumar and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Namit Khurana, Advocate,  
for the petitioners.

Mr. Vikramjit Singh, Addl. AG, Haryana.

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 FIR No.122 dated 26.11.2016 under Sections 498-A, 323, 354 (A)(1), 406, 506 read with Section 34 IPC, registered at Women Police Station, District Yamuna Nagar(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 26.03.2019 (Annexure P-2).

This Court vide order dated 12.04.2019 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, Yamuna Nagar at Jagadhri and got

their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.07.2019 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

Though no one is present on behalf of respondent No.2-complainant-Naina alias Diksha 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 10.07.2019. The same is reproduced as under:-

*“Stated that I have arrived at compromise with the accused persons with my free consent and without any pressure. The compromise has been effected with the efforts of Panchayat and relatives. I produce copy of compromise as Ex.CX on the file. Now, I have no grievance against the accused persons. I have “No-Objection”, if FIR no.122, dated 26.11.2016 registered u/s 323, 354-A(1), 406, 498-A and 506 of IPC read with Section 34 of IPC at Women Police Station, Yamuna Nagar is quashed. I hereby produce copy of my Aadhar Card and one photograph.”*

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 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.122 dated 26.11.2016 under Sections 498-A, 323, 354(A)(1), 406, 506 read with Section 34 IPC, registered at Women Police Station, District Yamuna Nagar (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 26.03.2019 (Annexure P-2), subject to payment of costs of ₹10,000/- to be paid by the petitioners, within a period of one month from today with the **Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical Sciences, Rohtak** and the said amount would be spent for the treatment of poor patients within the knowledge of its Director. The petitioners shall produce a receipt with the Registry.

**September 02, 2019**  
**seema**

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

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No