

372.

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

CRM-M-36397-2018

Date of decision:20.02.2019.

PAWANJEET SINGH THROUGH HIS GPA JOGINDER SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab,
for respondent No.1.

None 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.67 dated 10.05.2018 registered under Sections 498-A, 406 of IPC at Police Station Jandiala, Amritsar Rural (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.07.2018 (Annexure P-3).

This Court vide order dated 07.12.2018 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, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 24.01.2019 to the effect that the compromise has been effected between the parties with their free will and without any fear, pressure, threat or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sharanjot Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 21.01.2019. The same is reproduced as under:-

“Stated that I have entered into compromise with accused Pawanjeet Singh Son of Joginder Singh in case no FIR no.67 dated 10.05.2018 under Section 406, 498 A of IPC registered at police Station Jandila Guru, Amritsar. This compromise is without any fear, pressure, threat or coercion and same is out of my free will. I have no objection if the present FIR and all consequent proceedings may be quashed against accused Pawanjeet Singh S/o Joginder Singh.”

Learned State counsel does not dispute 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

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.67 dated 10.05.2018 registered under Sections 498-A, 406 of IPC at Police Station Jandiala, Amritsar Rural (Annexure P-2) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.07.2018 (Annexure P-3), however, that would be subject to payment of costs of Rs.25,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

(HARI PAL VERMA)
JUDGE

20.02.2019
sanjeev

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