

295.

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

CRM-M-18804-2019

Date of decision: 13.08.2019

VIKAS SOOD

... Petitioner

versus

STATE OF U.T. CHANDIGARH AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None.

HARI PAL VERMA, J. *(Oral)*

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.111 dated 21.11.2017 registered under Sections 406, 498-A of IPC at Police Station Women Cell, Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.04.2019 (Annexure P-2).

This Court vide order dated 26.04.2019 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 Judicial Magistrate Ist Class, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.07.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Nisha Sood but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 23.05.2019. The same is reproduced as under:-

“Stated that I got the above said FIR registered against my husband Vikas Sood only. Now with the intervention of my relatives and respectable persons of the society, I have amicably settled the dispute with my husband as compromise deed dated 12.04.2019 Ex.C1 which is signed by me as well as my husband, copy of which is submitted before Hon'ble High Court in quashing proceedings. The contents of above said compromise may kindly be read as part and parcel to the present statement. This compromise is genuine, voluntary, out of free will and without any coercion or undue influence from any side. Now I have no grudge or complaint against the above noted accused persons. I have no objection, if the present FIR is quashed as per the above said compromise Ex.C1. I undertake to abide by the terms and conditions of compromise deed dated 12.04.2019 Ex.C1.”

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

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.111 dated 21.11.2017 registered under Sections 406, 498-A of IPC at Police Station Women Cell, Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 12.04.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- 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

13.08.2019
sanjeev

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