

291.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18547-2019

Date of decision: 13.08.2019

SITA DEVI

... Petitioner

versus

STATE OF HARYANA 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.0031 dated 07.01.2015 registered under Sections 406, 498A, 323, 506 of IPC at Police Station Hisar Civil Lines, District Hisar and all subsequent proceedings arising therefrom on the basis of compromise dated 16.03.2019 (Annexure P-1).

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, Hisar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.05.2019 to the effect that the compromise has been effected between the parties voluntarily and without any pressure or

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Ritu Rani 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 had got lodged FIR No.31 dated 07.01.2015 under Sections 406/498A/323/506 IPC at Police Station Civil Lines, Hisar. Now, the matter has been settled amicably. I have no grievance against accused. I have no objection if the FIR is quashed.”

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 (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.0031 dated 07.01.2015 registered under Sections 406, 498A, 323, 506 of IPC at Police

Station Hisar Civil Lines, District Hisar and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 16.03.2019 (Annexure P-1).

(HARI PAL VERMA)
JUDGE

13.08.2019
sanjeev

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