

293.

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

**CRM-M-18772-2019**

Date of decision: 13.08.2019

CHARANPREET SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

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

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Present:     None.

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**HARI PAL VERMA, J.** *(Oral)*

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.11 dated 18.01.2019 registered under Section 498-A of IPC at Police Station Women Cell, District Ludhiana (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.04.2019 (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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.05.2019 to the effect that the compromise has been effected between the parties with their

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Prinshka Tiwari 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 lodged FIR no.11 dated 18.01.2019, U/s 498-A of the IPC, P.S. Women, Ludhiana, against the accused Charanpreet Singh aged about 30 years S/o Late Sh. Narinder Singh, R/o House no.1902/46/25, St. no.36, Ward no.63, Preet Nagar, New Shimlapuri, Ludhiana. Now, I have entered into compromise with the accused Charanpreet Singh out of my free will and without any sort of pressure and fear. As such, I do not want to pursue with the case against the abovesaid accused as the matter has been compromised. I have no objection, if the said FIR is quashed against the above said accused Charanpreet Singh. The petition U/s 13-B of HMA is pending in the court of Sh. K.K. Kareer, Ld. Principal Judge, Family Court, Ludhiana, for 16.10.2019 for recording second motion statement. Accordingly, I will not initiate any legal proceedings regarding the said FIR against the above said accused. Today I have brought my Aadhar card as proof of my identity and the photocopy of same is Ex.PA.”*

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.11 dated 18.01.2019 registered under Section 498-A of IPC at Police Station Women Cell, District Ludhiana (Annexure P-2) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 20.04.2019 (Annexure P-1), however, that would be subject to payment of costs of Rs.10,000/- 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.

The parties shall adhere to the terms of compromise in letter and spirit.

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

13.08.2019  
sanjeev

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