

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M-45916-2018

Date of Decision:07.11.2019

Ranjeet Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Sarabjit Singh, Advocate for
Mr. G.S. Thind, Advocate,
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

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 FIR No.69 dated 06.08.2017 under Sections 498-A, 506 IPC, registered at Police Station Sadar, District Sangrur (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 02.07.2019 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 Addl. Chief Judicial Magistrate, Sangrur and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 31.08.2019 to the effect that the compromise so effected between the parties is genuine, voluntary and without any coercion or undue influence.

Though no one is present on behalf of complainant-respondent No.2-Amanjot Kaur 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 13.08.2019. The same is reproduced as under:-

“Stated that FIR no.69 dated 06.08.2017 under section 498-A and 506 of IPC P.S. Sadar Sangrur was registered on my statement against accused Ranjit Singh and Surinder Singh, I have compromised with petitioners without any extraneous influence, coercion, pressure and on my own violation. I have no further grudge against the petitioners/accused. The petitioners/accused have already filed the quashing proceedings before the Hon'ble Punjab and Haryana High Court vide CRM-M-45916-2018 titled as Ranjeet Singh and another Versus State of Punjab and another in which the date was fixed for 07.11.2019. I have compromised with petitioners so that we can live our life peacefully without any further dispute. I have never been declared Proclaimed Offender. No criminal proceeding is pending against me. I am making the statement voluntarily. I have no objection if the quashing proceedings filed by petitioners be accepted. As per the compromise mutual consent divorce decree has already been passed between me and Ranjit Singh. I could not appear on 06.08.2019, the date so designated by Hon'ble Punjab and Haryana High Court in order dated 02.07.2019, before the trial Court for the recording of my statement as I had gone out of station to Manali.”

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.69 dated 06.08.2017 under Sections 498-A, 506 IPC, registered at Police Station Sadar, District Sangrur(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise(Annexure P-2), subject to payment of costs of Rs.5,000/- to be paid by the petitioners, within a period of one month from today with the **Govt. Medical College and Hospital, Sector-32, Chandigarh** and the said amount would be spent for the treatment of poor patients within the knowledge of its Medical Superintendent.

November 07, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No