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

CRM-M-22770-2019

Date of decision: 13.08.2019

HARJINDER SINGH AND OTHERS

... Petitioners

versus

STATE OF PUNJAB 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.112 dated 20.10.2018 registered under Sections 406, 498-A, 506 of IPC at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.02.2019 (Annexure P-2).

This Court vide order dated 17.05.2019 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, Patiala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.06.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any

threat or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Manpreet Kaur but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 31.05.2019. The same is reproduced as under:-

“Stated that I am the complainant of present case FIR no.112 dated 20.10.2018, U/ss 498-A/406/506 IPC registered at P.S. Women, Patiala, which has been get registered by me against the accused Harjinder Singh, Ishar Singh, Balwinder Singh and Kuldeep Singh. Now due to intervention of respectables of locality and common friends, I have compromised with the accused voluntarily and without any coercion or threat. I have no objection if present FIR and proceedings arising out of present FIR against the accused Harjinder Singh, Ishar Singh, Balwinder Singh and Kuldeep Singh are quashed by the Hon'ble Punjab and Haryana High Court. I am giving this statement voluntarily and without any coercion or threat. The compromise between us is genuine.”

As per the compromise, the parties have decided to restore the family ties with an understanding that they will discharge their responsibilities faithfully and sincerely qua each other keeping in view the welfare of the child.

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,

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.112 dated 20.10.2018 registered under Sections 406, 498-A, 506 of IPC at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 08.02.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

13.08.2019
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No