

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22979-2019

Date of Decision:09.09.2019

Navdeep Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: None for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab,
for respondent No.1.

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.146 dated 25.08.2016 under Section 498-A IPC, registered at Police Station Sadar Khanna, District Khanna (Annexure P-2) and all the consequential proceedings arising therefrom on the basis of compromise dated 10.04.2019(Annexure P-3).

This Court vide order dated 20.05.2019 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 1st Class, Khanna and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 24.07.2019 to the effect that the compromise is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Navjot Kaur, has made a statement with regard to compromise before learned Magistrate on 19.07.2019. The same is reproduced as under:-

“I have got registered a criminal case bearing FIR No.146 dated 27.08.2016 u/s 498-A, 406 IPC, PS Sadar Khanna against three accused namely Navdeep Singh, Kasturi Lal and Daljit Kaur. All the accused are present today in the court. I have compromised the matter with all the accused. No person is proclaimed offender in the present case. I have compromised the matter with my free Will and without any coercion or undue influence with all the accused. I have no objection if the present FIR/case is quashed or all the accused are acquitted.”

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.146 dated 25.08.2016 under Section 498-A IPC, registered at Police Station Sadar Khanna, District Khanna (Annexure P-2) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 10.04.2019(Annexure P-3), subject to payment of costs of ₹15,000/- to be paid by the petitioners, within a period of one month from today with **Rajindra Hospital, Patiala**. They shall produce a receipt with the Registry.

September 09, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No