

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

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**CRM-M No.51370 of 2018
Date of decision: 16.01.2019**

Raghubir Singh and others

.... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. N.S.Dadwal, Advocate
for the petitioners.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Jagjit Singh, Advocate
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.06 dated 28.04.2015 (Annexure P-1) under Section 498-A IPC, registered at Women Police Station, Jagraon and all the consequential proceedings arising therefrom on the basis of the compromise dated 03.11.2018 (Annexure P-2).

This Court vide order dated 22.11.2018 had directed the parties to appear before the trial court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 05.12.2018 to the effect that the parties have

compromised the matter with their free consent and without any pressure, threat, coercion or undue influence from any quarter and the same is valid and genuine.

Respondent No.2-Complainant, namely, Rajwant Kaur, has made a statement with regard to compromise before learned Magistrate on 05.12.2018. The same is reproduced as under:-

“Stated that the present FIR No.06 dated 28.04.2015, under Section 498-A of Indian Penal Code, Police Station Women Jagraon, District Ludhiana has been registered on the basis of statement suffered by me against the accused persons. I have compromised the present matter with the accused with the intervention of respectables of the locality without any fear or pressure. No accused is declared proclaimed offender till today in the present FIR. I have no objection, if the present FIR and subsequent orders may kindly be quashed.”

Learned State counsel as well as learned counsel for respondent No.2 have 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. FIR No.06 dated 28.04.2015 (Annexure P-1) under Section 498-A IPC, registered at Women Police Station, Jagraon and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of the compromise dated 03.11.2018 (Annexure P- 2).

(HARI PAL VERMA)
JUDGE

16.01.2019

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1. Whether speaking/non-speaking?	Yes/No
2. Whether reportable?	Yes/No