

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-25841-2019(O&M)

Date of Decision:26.09.2019

Charanjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Manpreet Singh, Advocate for
Mr. Narinder Kumar Vadehra, Advocate,
for the petitioner.**

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.96 dated 21.10.2018 under Section 498-A IPC, registered at Police Station Women, District Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 24.01.2019 (Annexure P-2).

This Court vide order dated 31.05.2019 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 Judicial Magistrate 1st Class, Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 31.07.2019 to the effect that the parties have compromised the matter out of their free will, voluntarily, without any sort of pressure, coercion or fear.

Though no one is present on behalf of respondent No.2-complainant-Khushminder Kaur in Court today, but no prejudice would be caused to her as she has already made a statement on their behalf with regard to compromise before the learned Magistrate on 29.07.2019. The same is reproduced as under:-

“Stated that I got lodged FIR no.96 dated 21.10.2018, U/s 498-A of the IPC, P.S. Women, Ludhiana, against the accused namely Charanjit Singh aged about 35 years S/o Harjit Singh, R/o House No.91/2, Guru Nagar, Jalandhar. Now, I have entered into compromise with the accused out of my free Will and without any sort of pressure or fear. Copy of compromise deed is Ex.CA. I remained bound down with the terms and conditions of compromise deed Ex.CA. As such, I do not want to pursue with the case against the accused as the matter has been compromised. I have no objection, if the aforesaid FIR is quashed against the accused. Accordingly, I will not initiate any legal proceedings regarding the said FIR against the accused. Today I have brought my Aadhar Card as proof of my identity and the photocopy of same is Ex.PA.”

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)***

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.96 dated 21.10.2018 under Section 498-A IPC, registered at Police Station Women, District Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 24.01.2019 (Annexure P-2), subject to payment of costs of Rs.20,000/- to be paid by the petitioner, 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. The petitioner shall produce a receipt with the Registry.

September 26, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No