

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

295

CRM-M-32035-2019

Date of Decision:07.11.2019

Sukhdev Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Nagar Singh, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Jasbir Singh Mohri, Advocate for
Mr. Vikasdeep 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.64 dated 12.08.2014 under Sections 498-A, 406 IPC, registered at Police Station Talwandi Chaudhrian, Tehsil Sultanpur Lodhi, District Kapurthala(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 04.07.2019 (Annexure P-2).

Power of attorney filed on behalf of respondent No.2 today in the Court, is taken on record.

Learned counsel for the petitioner states that in terms of the compromise dated 04.07.2019(Annexure P-2), the parties have filed the

fixed for 23.11.2019 before the Family Court for recording of statements on second motion.

This Court vide order dated 29.07.2019 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, the parties have appeared before learned Judicial Magistrate 1st Class, Sultanpur Lodhi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.09.2019 to the effect that the compromise effected between the parties is genuine, voluntary, without any threat, pressure, coercion or undue influence.

Respondent No.2-complainant, namely, Ranjit Kaur, has made a statement with regard to compromise before learned Magistrate on 29.08.2019. The same is reproduced as under:-

“Stated that I have compromised the matter with the petitioner/accused Sukhdev Singh s/o Gurmukh Singh resident of Village Kutbewal, Tehsil Sultanpur Lodhi, District Kapurthala, voluntarily without any pressure, threat, undue influence or coercion with the intervention of respectables of the locality and our relatives, to keep harmony amongst the parties. I have no objection if FIR is quashed against the petitioner.”

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)***

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.64 dated 12.08.2014 under Sections 498-A, 406 IPC, registered at Police Station Talwandi Chaudhrian, Tehsil Sultanpur Lodhi, District Kapurthala (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 04.07.2019(Annexure P-2), subject to payment of costs of ₹10,000/- to be paid by the petitioner, within a period of one month from today with the Poor Patients' Welfare Fund of **Post Graduate Institute of Medical Education and Research, Chandigarh.**

November 07, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No