

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

274

CRM-M-32393-2019

Date of Decision: 21.11.2019

Amrinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. M.S. Tiwana, Advocate,  
for the petitioners.**

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

**Ms. Niharika Gupta, Advocate,  
for respondent No.2.**

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**HARI PAL VERMA , J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.74 dated 14.06.2017 under Sections 498-A, 406, 506 and 34 IPC, registered at Police Station Sadar Faridkot, District Faridkot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.04.2019 (Annexure P-3).

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

Learned counsel for the petitioners states that the matter has been compromised between the parties and as a result thereof, petitioner No.1 and respondent No.2 are residing together as husband and wife.

This Court vide order dated 31.07.2019 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 Additional Chief Judicial Magistrate, Faridkot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.09.2019 to the effect that the compromise arrived at between the parties appears to be genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Gagandeep Kaur, has made a statement with regard to compromise before learned Magistrate on 02.09.2019. The same is reproduced as under:-

*“Stated that the case bearing FIR No. 74 dated 14.06.2017 under section 498-A, 406, 506 & 34 IPC, PS Sadar Faridkot was registered against (1) my husband Amrinder Singh, (2) my mother-in-law Gurmail Kaur W/o Avtar Singh and (3) my father-in-law Avtar Singh (since deceased) S/o Harnek Singh R/o Village Maur Mandi upon my statement.*

*My father-in-law Avtar Singh has expired on 23.09.2018, during the pendency of the trial.*

*Now with the intervention of the respectables persons and family relations from both the sides, the matter has stood compromised. I have started residing in my matrimonial home with my husband, named above. We want to live in peace and harmony. We do not have any dispute with each other. There is no misunderstanding between us.*

*I do not want to proceed further into the above said case FIR and the proceedings arising there from. The above said case FIR and the proceedings arising*

*there from may kindly be quashed by Hon'ble High Court of Punjab and Haryana at Chandigarh.*

*I have compromised the matter with my own sweet will and discretion.*

*I have made my statement in Court today without any pressure or coercion.*

*I further inform as under:-*

- (i) The above named three persons only were arrayed as accused in the case.*
- (ii) There was no one declared as proclaimed offender in the case.*
- (iii) My compromise with my husband and his mother is genuine, voluntary and without any coercion or undue influence.”*

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***

***Limited's case*** (supra), this petition is allowed and FIR No.74 dated 14.06.2017 under Sections 498-A, 406, 506 and 34 IPC, registered at Police Station Sadar Faridkot, District Faridkot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.04.2019 (Annexure P-3) are hereby quashed qua the petitioners.

**November 21, 2019**

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**(HARI PAL VERMA)  
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No