

305.

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

**CRM-M-34255-2019**

Date of decision: 20.11.2019

SUMIT PAUL

... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

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

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Present: Ms. Parneet Boparai, Advocate, for  
Mr. Kunal Dawar, Advocate,  
for the petitioner.

Mr. R.K. Singla, AAG, Haryana,  
for respondent No.1.

None 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 F.I.R. No.283 dated 31.05.2015 registered under Sections 498A/323/506/34 of IPC at Police Station Kotwali, Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 16.05.2019 (Annexure P-3).

This Court vide order dated 22.08.2019 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 Ist Class, Faridabad and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.09.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Aradhana Paul @ Silky Chawla but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 25.09.2019, to the effect that she has compromised the matter with the petitioner and has no objection in case the FIR in question is quashed qua him.

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 FIR.

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 the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become 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.

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*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others***

*(2012) 10 SCC 303* as also in the light of *Gold Quest International Private Limited's case (supra)*, this petition is allowed and F.I.R. No.283 dated 31.05.2015 registered under Sections 498A/323/506/34 of IPC at Police Station Kotwali, Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise/settlement dated 16.05.2019 (Annexure P-3), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the High Court Bar Association in the Lawyers' Welfare Fund, within one month from today.

**(HARI PAL VERMA)**  
**JUDGE**

20.11.2019  
sanjeev

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| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |