

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-54777-2018

Date of Decision:14.02.2019

Vasu Manglan and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Vivek Goyal, Advocate,
for the petitioners.

Mr. Manish Bansal, D.A.G., Haryana.

Mr. Deepinder Brar, 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.0025 dated 07.06.2017 (Annexure P-1) under Sections 120-B, 323, 406, 498-A, 506 IPC, registered at Women Police Station, District Panchkula and all the consequential proceedings arising therefrom on the basis of the compromise-deed dated 30.11.2018 (Annexure P-2).

Learned counsel for the petitioners states that statement on behalf of petitioner No.1-Vasu Manglan, who is husband of respondent No.2-Sulbhj Aggarwal, has been recorded through Krishan Kumar Gupta, who happens to be father and special power of attorney of Vasu Manglan. Krishan Kumar Gupta is also an accused in the case.

This Court vide order dated 11.12.2018 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, Panchkula and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.01.2019 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sulbhj Aggarwal daughter of Subhash Chand Aggarwal, has made a statement with regard to compromise before learned Magistrate on 14.01.2019, wherein she has stated that she has compromised the dispute with her free will with accused Vasu Manglan son of Krishan Kumar Gupta, Krishan Kumar Gupta son of Balwant Rai, Swati Gupta wife of Krishan Kumar Gupta, residents of House No.198/8, Indira Colony, Kurukshetra. She has no objection in case FIR in question registered against the petitioners-accused is 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 and FIR No.0025 dated 07.06.2017 (Annexure P-1) under Sections 120-B, 323, 406, 498-A, 506 IPC, registered at Women Police Station, District Panchkula and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of the compromise-deed dated 30.11.2018 (Annexure P-2), subject to payment of costs of ₹25,000/- to be paid by the petitioners, within a period of one month from today with the Poor Patients Welfare Fund, PGIMER, Chandigarh. They shall produce a receipt with the Registry.

February 14, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No