

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

271

CRM-M-55199-2018

Date of Decision:15.02.2019

Ranjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. K.D. Sachdeva, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. Akashdeep Sethi, 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.143 dated 29.12.2015 (Annexure P-1) under Sections 406, 498-A IPC, registered at Police Station Women Cell, Patiala and all the consequential proceedings arising therefrom on the basis of agreement/compromise dated 28.08.2018 (Annexure P-2).

This Court vide order dated 15.12.2018 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, Patiala and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 24.01.2019 to the effect that the compromise arrived at between the parties is genuine, voluntary and out of their free will.

Respondent No.2-complainant, namely, Amandeep Kaur, has made a statement with regard to compromise before learned Magistrate on 15.01.2019. The same is reproduced as under:-

“I am complainant in FIR No.143 dated 29.12.2015 under Section 406 and 498-A of IPC, P.S. Women, Patiala which was registered against only accused Ranjit Singh. None other than myself is aggrieved in the present case FIR. Now with the intervention of respectables, I have compromised with the accused Ranjit Singh and the said compromise is Ex.CX on which I identify my signature at point A. The compromise is genuine, voluntary and out of free will and is free from any coercion or undue influence. I have no objection if the present FIR against the above said accused be quashed on the basis of said compromise.”

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***

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.143 dated 29.12.2015 (Annexure P-1) under Sections 406, 498-A IPC, registered at Police Station Women Cell, Patiala and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of agreement/compromise dated 28.08.2018 (Annexure P-2).

February 15, 2019

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No