

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-26925-2020(O&M)

Date of Decision:17.12.2020

Rajdeep Singh and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Karan Garg, Advocate,
for the petitioners.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

None for the complainant-respondent No.2.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.125 dated 15.09.2019 under Sections 323, 34, 406, 498-A, 506 IPC, registered at Police Station Baragudha, District Sirsa (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 03.07.2020(Annexure P-2).

This Court vide order dated 01.10.2020 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 Civil Judge (Jr. Divn.)-cum-Judicial Magistrate 1st Class, Sirsa and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.11.2020 to the effect that the parties have entered into the compromise without any fear, force and coercion and in my considered opinion, compromise between the parties is genuine.

Though no one is present on behalf of respondent No.2-Veerpal Kaur in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 18.11.2020 to the effect that she has compromised the matter with the petitioners-accused without any fear and pressure and has no objection, if the present FIR registered against the accused is quashed.

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 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.125 dated 15.09.2019 under Sections 323, 34, 406, 498-A, 506 IPC, registered at Police Station Baragudha, District Sirsa(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 03.07.2020(Annexure P-2).

December 17, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No