

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

CRM-M-25462 of 2019.

Decided on:- February 10, 2020.

Harender and others

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

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

Present:- Ms. Neha Rana, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioners.

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

Mr. Sumit Sharma, 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.145 dated 02.05.2015 under Sections 498-A and 406 IPC registered at Police Station Bhiwani Civil Lines, District Bhiwani (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of settlement agreement dated 24.05.2019 (Annexure P-2) arrived at the Mediation and Conciliation Centre of this Court in **FAO-M-106 of 2018** titled as **Harender Vs. Suprabha @ Renu.**

Learned counsel for the petitioners states that as per the settlement agreement dated 24.05.2019 (Annexure P-2), as against the agreed amount of Rs.10 lakh, a sum of Rs.7.5 lakh has already been paid to

respondent No.2-complainant. She further states that a demand draft for the remaining amount of Rs.2.5 lakh has been handed over to respondent No.2 today itself. The photocopy of the bank draft is taken on record.

Learned counsel for respondent No.2 does not dispute the very factum of compromise between the parties and receipt of payment.

Learned State counsel has also not disputed the factum of compromise effected between the parties.

In view of the above, continuation of the proceedings before the trial Court in the instant FIR qua the petitioners shall be an abuse of the process of law.

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 well as the law laid down in ***Gold Quest International Private Limited's case (supra)***, the present petition is allowed and the FIR No.145 dated 02.05.2015 under Sections 498-A and 406 IPC registered at

Police Station Bhiwani Civil Lines, District Bhiwani (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioners on the basis of settlement agreement dated 24.05.2019 (Annexure P-2) arrived at the Mediation and Conciliation Centre of this Court in *FAO-M-106 of 2018* titled as *Harender Vs. Suprabha @ Renu*.

It is made clear that the parties shall adhere to the terms and conditions of settlement agreement dated 24.05.2019 in letter and spirit.

February 10, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No