

249.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35802-2019

Date of decision: 08.01.2020

DEEPAK MOR

... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sanawar Ali, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.
for respondent No.1.

Mr. Nafeesh Ahmed, 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 F.I.R. No.350 dated 01.09.2017 registered under Sections 323, 498-A, 506 of IPC at Police Station Sonapat Sadar, District Sonapat (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2019 (Annexure P-2).

This Court vide order dated 29.08.2019 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 Additional Chief Judicial Magistrate, Sonipat and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.10.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any pressure, coercion or undue influence.

Respondent No.2-complainant, namely, Renu has made her statement with regard to compromise before learned Magistrate on 03.10.2019 to the effect that she has compromised the matter with the accused-petitioner with her own will and without any pressure.

Learned counsel for the petitioner states that the matter has been compromised between the parties and they are staying together as husband and wife.

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 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.350 dated 01.09.2017 registered under Sections 323, 498-A, 506 of IPC at Police Station Sonapat Sadar, District Sonapat (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 14.08.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

08.01.2020
sanjeev

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