

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

282

CRM-M-38065-2019

Date of Decision:24.02.2020

Amandeep Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

**Present: Mr. Mohan Singh Rana, Advocate,
for the petitioner.**

Ms. Priyanka Sadar, AAG, Haryana.

**Mr. Ravi Malik, 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.81 dated 22.07.2017 under Sections 406, 498-A, 323, 506 IPC (sections 328, 354, 377 of IPC deleted later on while filing the challan dated 31.10.2017), registered at Women Police Station, Karnal, District Karnal (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 30.08.2019 (Annexure P-2).

This Court vide order dated 14.01.2020 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, parties have appeared before learned Chief Judicial Magistrate, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.02.2020 to the effect that the compromise is genuine, voluntary, and without any coercion or undue influence.

Respondent No.2-complainant, namely, Parveen Kaur, has made a statement with regard to compromise before learned CJM, Karnal on 07.02.2020 to the effect that I have compromised the matter with the petitioner-accused and thus, I have no objection if the FIR registered against the 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.81 dated 22.07.2017 under Sections 406, 498-A, 323, 506 IPC (sections 328, 354, 377 of IPC deleted later on while filing the challan dated 31.10.2017), registered at Women Police Station, Karnal, District Karnal (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 30.08.2019 (Annexure P-2), subject to payment of costs of ₹10,000/- to be deposited by the petitioner within a period of one month from today with **Pandit Bhagwant Dayal Sharma, Post Graduation Institute of Medical Science (PGIMS), Rohtak** and the said amount shall be utilized on the treatment of poor patients within the knowledge of its Medical Superintendent.

February 24, 2020
seema

(HARI PAL VERMA)
JUDGE

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