

258.

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

**CRM-M-38456-2019**

Date of decision: 29.01.2020

SATINDER PAL AND OTHERS

... Petitioners

versus

STATE OF PUNJAB & ANR.

.... Respondents

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

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Present: Mr. Shivender Pal Singh, Advocate, for  
Mr. Brijeshwar Singh Bhalla, Advocate,  
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab,  
for respondent No.1.

None for respondent No.2.

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**HARI PAL VERMA, J.** (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.78 dated 03.12.2018 registered under Sections 406, 498A, 494, 120-B of IPC at Police Station Women Cell, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of settlement/agreement dated 02.04.2019 entered between the parties before the Mediation and Conciliation Centre of this Court (Annexure P-2).

This Court vide order dated 10.09.2019 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 Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.11.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any threat and coercion and out of free will of the parties.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sumandeep Kaur but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 29.10.2019. The same is reproduced as under:-

*“An FIR no.78 dt. 2018 u/s 406, 498-A, 494, 120-B IPC PS Women has been registered against three accused namely Satinderpal Singh, Rajandeep Kaur and Shamsher Singh by me. Now with the intervention of the respectable a compromise has been effected between me and the accused persons. Original compromise is already filed in the quashing petition with High Court. I have no objection if the FIR is quashed by the Hon'ble High Court. None of the accused is proclaimed offender. The compromise has been effected without any pressure, undue influence or without any coercion.”*

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 FIR.

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.78 dated 03.12.2018 registered under Sections 406, 498A, 494, 120-B of IPC at Police Station Women Cell, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of settlement/agreement dated 02.04.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the Government Medical College, Amritsar, within one month from today. The said amount shall be utilized for the welfare of poor patients within the knowledge of its Medical Superintendent.

**(HARI PAL VERMA)**  
**JUDGE**

29.01.2020  
sanjeev

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