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

CRM-M-30970-2020

Date of decision: 05.03.2021

Naveen Kumar

... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana,
for respondent No.1.

Mr. Mohit Kumar, Advocate,
for the 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 F.I.R. No.297 dated 07.11.2017 registered under Sections 323, 406, 498-A, 506 of IPC at Police Station Quila, District Panipat (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.07.2020 (Annexure P-2).

This Court vide order dated 05.10.2020 had directed the parties to appear before the Illaqa Magistrate/Duty 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 Judicial Magistrate Ist Class, Panipat and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.11.2020 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any fear.

Respondent No.2-complainant, namely, Neha has made her statement with regard to compromise before learned Magistrate on 29.10.2020 to the effect that she has compromised the matter with the accused voluntarily and without any pressure. She has no objection in case the present FIR is quashed qua the present petitioner.

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.297 dated 07.11.2017 registered under Sections 323, 406, 498-A, 506 of IPC at Police Station Quila, District Panipat (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 29.07.2020 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

March 05, 2021
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Whether speaking/reasoned?	Yes
Whether reportable?	No