

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

CRM-M-38911 of 2020.

Decided on:- February 02, 2021.

Manpreet Singh Nayyar and others

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

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

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Present:- None.

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

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.103 dated 09.08.2019 under Sections 323, 406, 498-A and 506 IPC registered at Women Police Station, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement deed dated 09.11.2020 (Annexure P-2).

This Court vide order dated 25.11.2020 had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order dated 25.11.2020 passed by this Court, the petitioners as well as respondent No.2-complainant Jaspreet Kaur had appeared before learned Judicial Magistrate 1<sup>st</sup> Class, Karnal and got their statements recorded on 07.01.2021. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 18.01.2021

with regard to the compromise effected between the parties to the effect that the compromise is genuine one, because both the parties have assembled in the Court and have made statements voluntarily.

The FIR in question has been recorded on the basis of statement of respondent No.2-complainant Jaspreet Kaur. She has already made a statement before learned Magistrate in support of the compromise on 07.01.2021, which reads as under:

*“I got registered FIR No.103 dated 09.08.2019 under Sections 323/406/498-A/506 IPC at Women Police Station Karnal against accused Manpreet Singh etc. Now, compromise has been effected between me and accused parties. Today I have received draft bearing No.263427 dated 06.01.2021 amounting to Rs.2,50,000/- as per the compromise deed. Copy of the compromise deed dated 09.11.2020 as Ex. Mark-A. Now, I do not have any objection to quash/cancel the aforesaid FIR against all the accused persons. This compromise deed dated 09.11.2020 is from my free will and consent and bears my signatures.”*

Considering the fact that the present is a matrimonial dispute between the parties and the matter has been compromised between them, this Court finds that there is no impediment in quashing of the FIR in question qua the petitioners. In fact, 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.103 dated 09.08.2019 under Sections 323, 406, 498-A and 506 IPC registered at Women Police Station, Karnal, District Karnal (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/settlement deed dated 09.11.2020 (Annexure P-2), however, subject to payment of costs of Rs.5,000/- to be deposited by the petitioners with the Bar Association of this Court within a period of one month from today.

Since the present order is being passed in the absence of respective lawyers of the parties, in case either party finds that any prejudice has been caused to them, they shall be at liberty to seek revival of the present petition.

**February 02, 2021**  
Yag Dutt

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

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