

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

Sr. No.251

CRM-M-34169-2021

Date of Decision: 10.01.2023

Sukhdev Singh

.... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Harpreet Singh, Addl. A.G.Punjab.

Mr. Gaurav Gupta, Advocate for respondent No.2.

TRIBHUVAN DAHIYA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.18 dated 24.09.2019, registered under Section 498-A of IPC at Women Police Station, Jagraon, District Ludhiana (Rural) (Annexure P-1) and all consequential proceedings arising therefrom, in view of the compromise dated 07.06.2021 (Annexure P-2).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 23.08.2021 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 23.09.2021 had been received from Judicial Magistrate 1st Class, Jagraon, at Flag 'A', stating that the compromise arrived at between the parties is without any pressure, coercion or undue influence. However, learned Magistrate was directed by this Court vide order dated 21.09.2022 to record the statement of Investigating Officer as well and send the same to this

Court. In compliance thereof, Judicial Magistrate 1st Class, Jagraon has sent

a report dated 10.10.2022 along with statement of the Investigating Officer, affirming the genuineness of the compromise arrived at between the parties.

Learned State counsel and Mr. Gaurav Gupta, Advocate, who has put in appearance on behalf of respondent No.2-complainant by filing power of attorney, admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid reports establish that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 466 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No.18 dated 24.09.2019, registered under Section 498-A of IPC at Women Police Station, Jagraon, District Ludhiana (Rural) and all consequential proceedings arising therefrom are hereby quashed *qua* the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

10.01.2023

Maninder

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No