

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

(262)

CRM-M-52649-2022.

Date of Decision:-11.01.2023.

Sagar Gupta and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Sukesh Kumar Jindal, Advocate for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Karan Pathak, Advocate for
Mr. Saurabh Sharma, Advocate for respondent No.2.

ALOK JAIN, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0021 dated 29.03.2022, registered under Sections 323, 406, 498-A and 506 read with Section 34 of IPC at Police Station City Women Police Station, Gurugram (Annexure P-1) and all consequential proceedings arising therefrom, in view of the settlement deed dated 20.10.2022 (Annexure P-2).

Reply by way of affidavit of the Assistant Commissioner of Police, Crime Against Women, Gurugram, filed on behalf of respondent No.1 is taken on record.

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 15.11.2022 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated

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29.11.2022 has been received from Judicial Magistrate 1st Class, Gurugram, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes 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.0021 dated 29.03.2022, registered under Sections 323, 406, 498-A and 506 read with Section 34 of IPC at Police Station City Women Police Station, Gurugram (Annexure P-1) and all the consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners.

(ALOK JAIN)
JUDGE

January 11, 2023.

Sandeep

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