

**CRM-M-48690-2019 (O&M)**

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

(236)

**CRM-M-48690-2019 (O&M)**

Date of Decision:-**January 27, 2023**

Vipin Sharma and others

.....Petitioners

Versus

State of Haryana and Another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Vipin Sharma, Advocate for the petitioners.

Ms. Ankita Ahuja, AAG, Haryana.

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**ALOK JAIN, J. (Oral)**

**CRM-25413-2022**

This is an application for placing on record the copy of the joint statements dated 08.09.2020 of second motion judgment and decree dated 08.09.2020 as Annexure P-5 and P-6 respectively.

For the reasons stated in the application, the same is allowed.  
Annexure P-5 and P-6 are taken on record.

**CRM-M-48690-2019 (O&M)**

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 23 dated 24.04.2019, registered under Sections 323, 377, 406, 498-A, 506 and 34 of Indian Penal Code at Police Station Women Cell, Sonipat, District Sonipat (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of settlement/agreement dated 02.09.2019 (Annexure P-2).

**CRM-M-48690-2019 (O&M)**

Mr. Parvesh Malik, Proxy Counsel has appeared and filed Power of Attorney of Mr. Ramnish Puri, Advocate on behalf of respondent No. 3, which is taken on record.

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 16.11.2019 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 16.04.2020 has been received from the Civil Judge (Junior Division), Sonapat, 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.3-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 406 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. 23 dated 24.04.2019, registered under Sections 323, 377, 406, 498-A, 506 and 34 of

**CRM-M-48690-2019 (O&M)**

Indian Penal Code at Police Station Women Cell, Sonipat, District Sonipat (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners, subject to payment of cost of ₹ 10,000/- to be deposited by the petitioners jointly and ₹ 10,000/- to be deposited by respondent No.3 within two months from today in the following account:-

**Account Name – Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund.**

**Account No. - 41564846387**

**Bank Name – SBI High Court Branch.**

Pending application(s), if any, shall also stand disposed of.

**(ALOK JAIN)  
JUDGE**

**January 27, 2023**

Parul

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