

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

CRM-M-23178 of 2015(O&M)

Date of decision: 05.08.2015

Ashish Kumar Pandey & others

-----Petitioner(s)

V/s

State of U.T. Chandigarh & another

-----Respondent(s)

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

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Aditya Kumar Sharma, Advocate for the petitioner(s).

Mr. A.S. Sullar, Addl. P.P. Union Territory,
Chandigarh.

Mr. J.S. Dadwal, Advocate for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition is for quashing of FIR No.81, dated 18.02.2014, under Sections 406/498-A/354-A of IPC, registered at Police Station, Manimajra, Union Territory Chandigarh(Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise by way of mutual divorce petition under Section 13-B of the Hindu Marriage Act, 1955 and statements of parties to it (Annexures P-2 to P-5).

This Court vide order dated 20.07.2015, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate, Ist Class, Chandigarh, and have got their statements recorded. On the basis of the statements so recorded by the parties, Judicial Magistrate, Ist Class, Chandigarh, has submitted his report dated 31.07.2015, to the effect that the compromise entered between the parties is genuine, voluntary and the same has been effected without any coercion and undue influence.

Mr. J.S. Dadwal, Advocate has put in appearance on behalf of respondent No.2 and does not dispute the factum of compromise.

Mr. A.S. Sullar, Addl. Public Prosecutor, has put in appearance of behalf of Union Territory, Chandigarh.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR *qua* the petitioners.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and**

others, (2012)10 SCC 303, this petition is allowed and FIR No.81, dated 18.02.2014, under Sections 406/498-A/354-A of IPC, registered at Police Station, Manimajra, Union Territory Chandigarh(Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise by way of mutual divorce petition under Section 13-B of the Hindu Marriage Act, 1955 and statements of parties to it (Annexures P-2 to P-5), *qua* the petitioners, are hereby quashed.

August 05, 2015
Anjal

(HARI PAL VERMA)
JUDGE