

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

**C.R.M-M No.26294 of 2015 (O&M)
Date of Decision : 20.08.2015**

Manish Kumar Sharma @ Manish

..... Petitioner

Versus

Abhilasha and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vishal Munjal, Advocate
for the petitioner.

Mr. K.S. Kaushal, Advocate
for the respondent No.1.

Mr. Ashish Sanghi, D.A.G., Punjab.

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

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing of Complaint No.36 dated 7.6.2012 under Sections 406, 498-A, 120-B, 34 IPC read with Section 3 & 4 of the Dowry Prohibition Act and for setting aside the summoning order dated 14.01.2013 and P.O. order dated 21.05.2014 alongwith all consequential proceedings arising therefrom on the basis of compromise between the parties.

A certified copy of the statement of the complainant-respondent

No.1 recorded before the JMIC regarding the factum of compromise on

02.02.2015 is taken on record as Mark A-1. It is also stated that divorce has also been granted between the parties by mutual consent as far back as in 2013.

The Hon'ble Supreme Court in **Gian Singh v. State of Punjab and another** reported as 2012(4) RCR(Criminal) 543 has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape dacoity etc. as such offences are not private in nature and have serious impact on society.

In view of the above judicial pronouncement, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and the above said complaint, summoning order and P.O. order and all consequential proceedings arising therefrom are quashed qua petitioner.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

August 20, 2015

ashish

**(AJAY TEWARI)
JUDGE**