

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-28976 of 2014
DECIDED ON : April 28, 2015

Ashok Kumar and another

...Petitioners

versus

UT Chandigarh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Devinder Singh, Advocate,
for the petitioners.

Mr. G.S. Chahal, Advocate
for respondents No.1 and 2.

Mr. Ajay Singla, Advocate
for respondent No.3.

JASPAL SINGH, J. (ORAL)

This is a petition preferred under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 157 dated 14.08.2009 under Sections 406/498-A IPC registered at Police Station Sector 31, Chandigarh and all subsequent proceedings arising therefrom, on the basis of compromise (Annexures P-1 and P-2)

2. Vide order dated March 17, 2015, parties were directed to appear before learned Illaqa Magistrate to record their statements with regard to validity, genuineness or otherwise of compromise deed and learned trial Court was directed to send the report, to this Court in this regard.

3. Report of learned Magistrate has been received, in which, it has been mentioned that a compromise effected between the parties is without any coercion, pressure and with their free will. The same is genuine one. Even otherwise, matter involved in these proceedings is matrimonial in nature, which has been amicably put at rest.

4. Learned counsel for the parties have stated at the bar that matter involved is matrimonial in nature, which has been amicably settled.

5. After having elaborately heard learned counsel for parties and perusal of record as well as report submitted by learned trial Court in respect of compromise, this Court is satisfied that compromise has been arrived at between the parties and after compromise, no dispute subsists between them.

6. So, In view of the above circumstances and in view of authority reported as, **“Kulwinder Singh & others vs. State of Punjab & others”** **2007 (3) RCR (Criminal) 1052**, 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.

7. Consequently, the instant petition stands allowed and FIR No. 157 dated 14.08.2009 under Sections 406/498-A IPC registered at Police Station Sector 31, Chandigarh and all other consequential proceedings arising therefrom are quashed qua the petitioners.

April 28, 2015
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(JASPAL SINGH)
JUDGE