

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

CRM-M-40437 of 2014

Date of Decision: March 26, 2015

Dheeraj and others

....Petitioners

Versus

U.T., Chandigarh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

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

Mr.G.S.Chahal, APP for U.T.

Mr.Siddharth Gulati, Advocate
for respondent Nos. 2 to 5.

Rajan Gupta, J (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No.138 dated 22.4.2010 registered under Sections 325 read with Section 34 & 406, 498-A of IPC, Police Station, Sector-34, Chandigarh and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit that petitioner No.1 and respondent No.2 have separated by way of a decree passed under Section 13 (B) of the Hindu Marriage Act.

Heard

It appears that on 13.2.2015 a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

“Complainants suffered statement that the

matter has been compromised with the accused persons vide compromise deed dated 17.8.2014 Ex.A-1, without any inducement, threat, promise or coercion from any quarter and they have no objection if the present FIR No.138 dated 22.4.2010 under Section 325 read with Section 34 & 406, 498-A of IPC, PS-34, Chandigarh and subsequent proceedings arising out of the same FIR may be quashed. Accused persons also got recorded their similar statement. In the opinion of the court, a valid and genuine compromise has been effected between the complainants and accused persons in this case. Accordingly, the compliance report is sent herewith for your kind perusal please alongwith copies of statements of the parties and compromise deed Ex.A-1.”

The compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of above, the present FIR and the consequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in Kulwinder Singh's case supra.

Resultantly, the present petition is allowed. The F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

March 26, 2015
BB