

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

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**Crl. Misc No. M-41540 of 2014.
Date of Decision: 23.03.2015.**

Neeraj Rana and another ... Petitioners.

Versus

State of U.T., Chandigarh and another ... Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Vaneet Soni, Advocate
for the petitioners.

Mr. Sukant Gupta, Standing Counsel,
for the UT, Chandigarh.

Sneh Prashar, J. (Oral)

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioners pray for quashing of First Information Report No. 232 dated 03.08.2009 for offence punishable under Sections 406/498-A of the Indian Penal Code (in short "I.P.C.") registered at Police Station Sector-17, Chandigarh and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P-2).

2. Vide order dated 24.12.2014, the trial court was directed to record the statement of complainant-respondent No.2 through video calling i.e. skype on 14.01.2015. Pursuant thereto, a report has been submitted by Judicial Magistrate Ist Class, Chandigarh, wherein it has been reported that her statement was recorded in her presence after she was duly identified by her father.

Learned counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

3. A perusal of allegations in the First Information Report reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in 'Gian Singh v. State of Punjab and another', 2012(4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end. In this view of the matter, the petition is allowed and First Information Report No. 232 dated 03.08.2009 for offence punishable under Sections 406/498-A of the Indian Penal Code (in short "I.P.C.") registered at Police Station Sector-17, Chandigarh and proceedings emanating therefrom stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

March 23, 2015
Sarita-I