

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

CRM-M-4187 of 2015(O&M)

Date of decision:- 08.05.2015.

Amit Kumar and others

.....Petitioners

Versus

Chandigarh Administration and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Avtar Kaur, Advocate
for the petitioners.

Mr. Gautam Kaile, Advocate for
Mr. Rajiv Sharma, Advocate
for U.T., Chandigarh.

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C praying for quashing of F.I.R. No.319 dated 05.10.2011 under Sections 406, 498-A I.P.C registered at Police Station, 17 (Women Cell), Chandigarh, on the basis of compromise, which as per pleadings has been entered into between the parties.

Learned counsel for the parties have been heard.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 9.2.2015, had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 12.03.2015 of the learned Chief Judicial Magistrate, Chandigarh and a perusal of the same would reveal that the statement of the complainant namely, Geeta as also the accused (petitioners herein) namely, Amit Kumar, Arun Kumar, Ashish, Manak Chand and Harjit Kaur have been duly recorded and it has been opined that the compromise has been arrived at between the parties without any pressure or coercion.

A Full Bench of this Court in case of **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (Criminal) 1052** has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C can intervene and bring to an end criminal prosecution in the light of compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the facts of the present case, wherein the parties have amicably settled their dispute amongst themselves, which was essentially matrimonial in nature, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C and bring to an end the criminal prosecution initiated on the basis of impugned FIR.

For the reasons recorded above, the present petition is allowed. F.I.R. No. 319 dated 05.10.2011 under Sections 406, 498-A I.P.C registered at Police Station, 17 (Women Cell), Chandigarh and all proceedings emanating therefrom, stand quashed.

Petition allowed.

(TEJINDER SINGH DHINDSA)
JUDGE

May 08, 2015.

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