

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

**CRM-M-44064 of 2014 (O&M)
Date of Decision: 21.04.2015**

Ishaan Kataria & others

...Petitioners

Versus

State of UT Chandigarh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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?*

Present: Mr. Arun Luthra, Advocate
for the petitioners.

Mr. J.S. Toor, APP,
for UT, Chandigarh.

Mr. Rohit Dheer, Advocate
for respondent No.2.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing FIR No.160 dated 26.04.2013 under Sections 406, 498-A IPC, Police Station Sector-11, Chandigarh and the subsequent proceedings on the basis of written compromise arrived at between the parties.

Report from the trial Court has been received after recording statements of parties, alongwith photocopies of statements. It is reported that compromise is voluntary and without any coercion or undue influence.

Learned State counsel on instructions from ASI Balwinder Singh submits that petitioners are the only accused in this FIR, which was recorded by respondent No.2 who is the only aggrieved person.

:2:

Learned counsel for the petitioner as well as complainant have stated that decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act has been granted by the Matrimonial Court on 16.04.2015 in HMA No.664 of 10.10.2014. Learned counsel for the complainant also submits that entire dispute with regard to settling the payment has also been settled.

No useful purpose would be served in continuing the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.160 dated 26.04.2013 under Sections 406, 498-A IPC, Police Station Sector-11, Chandigarh and the subsequent proceedings conducted on the basis thereof, are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements.

(R.P. Nagrath)
Judge

21.04.2015
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