

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

Crl. Misc. No.M-5751 of 2014

Date of Decision: 21.02.2015

Ashish Singla and others

....Petitioners

Versus

U.T. Chandigarh and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ?**
- 2. To be referred to reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Present:- Mr. Saurabh Bhardwaj, Advocate
for Mr. Inderjit Sharma, Advocate
for the petitioners.

Mr. G.S. Chahal, Advocate
for respondent No.1-U.T. Chandigarh.

Ms. Neelofer Abida Parveen, Advocate
for respondent No.2-complainant.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C for quashing of FIR No.348 dated 01.08.2008 under Sections 406 and 498-A IPC registered at Police Station Mani Majra, U.T. Chandigarh, on the basis of compromise.

Petitioner No.1 was married to respondent No.2-complainant on 21.11.2007. Thereafter, some dispute arose between the parties and a petition was filed under Section 12 of the Hindu Marriage Act, which was allowed on 28.07.2008. Thereafter, petitioner No.1 preferred **FAO No.169**

of 2010 and during pendency of the said petition, they decided to live separately and a divorce petition was filed under Section 13-B of the Hindu Marriage Act.

Learned counsel for the petitioners as well as learned counsel for respondent No.2-complainant submit that the dispute between the parties has been settled by way of compromise and the complainant is satisfied with the terms of the settlement. An amount of ₹ 3 lacs has already been paid to the complainant and the remaining amount of ₹ 2 lacs has been paid today by way of demand draft No.207296 dated 01.12.2014, which has been handed over to the complainant, who is present in the Court and has been identified by the counsel appearing on her behalf.

As per statements of the parties recorded in compliance of directions issued by this Court on 19.02.2014, the factum of compromise has been affirmed. A report after recording the statements of the parties has also been sent by Judicial Magistrate Ist Class, Chandigarh, which is already on record, wherein, it has been mentioned that an agreed amount of ₹ 2 lacs shall be paid at the time of quashing of FIR as well as other proceedings arising therefrom. Complainant-respondent No.2, while appearing for recording of her statement before the trial Court, has specifically stated that a divorce petition under Section 13-B of the Hindu Marriage Act has been allowed and now she has no objection in quashing of present FIR.

Since the dispute between the parties has been settled by way of compromise and the complainant-respondent No.2 is satisfied with the settlement as amount settled in the compromise has been received by her and now she has no objection in quashing of the FIR as well as other proceedings arising therefrom, no purpose would be served, in case, the

proceedings are allowed to be continued, the ultimate result would be acquittal as the complainant is not going to support the case of the prosecution. The continuation of the proceedings would be an exercise in futility and will not only be the wastage of valuable time of the Court but it would also be not in the interest of both the parties.

Accordingly, the present petition is allowed and FIR No.348 dated 01.08.2008 registered under Sections 406/498-A IPC at Police Station Mani Majra U.T.Chandigarh along with all consequential proceedings arising therefrom, qua petitioners Ashish Singla, Suraj Bhan Singla and Pushpa are hereby quashed.

21.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE