

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

**1. Date of decision: 15.11.2016
CRM No. M-31775 of 2016**

Pankaj Panghal

...Petitioner

Versus

State of U.T., Chandigarh and another

...Respondents

2. CRM No. M-31569 of 2016

Pankaj Panghal

...Petitioner

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Depak K. Sharma, Advocate,
for the petitioner(s).**

**Mr. R.S. Chahal, Advocate,
for U.T., Chandigarh.**

**Mr. Ankit Rana, Advocate,
for complainant-respondent No.2.**

Ritu Bahri, J.

By this common order, Crl. Misc No. M-31775 of 2016 & Crl. Misc No. M-31569 of 2016 shall be decided together wherein prayer is for quashing of FIR No. 302 dated 11.06.2015, under Sections 406/498-A IPC, registered at Police Station, Manimajra, U.T., Chandigarh and order dated 14.03.2016 passed by the Judicial Magistrate Ist Class, Chandigarh, declaring Pankaj Panghal-petitioner as proclaimed person and subsequent proceedings arising therefrom on the basis of compromise effected between the parties.

The FIR was registered on the basis of complaint made by Ailisha-respondent No.2 to the effect that her marriage was solemnized with Pankaj Panghal-petitioner on 07.12.2014, who is settled abroad. Soon after the marriage, petitioner and other members of in-laws family of complainant started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by them. In this background, the FIR was registered.

Pankaj Panghal, husband of the complainant, did not appear before the Court and was declared as proclaimed person vide order dated 14.03.2016.

Now, with the intervention of respectable persons, petitioner and respondent No.2 have resolved the dispute amicably vide compromise dated 23.08.2016 (Annexure P-2 in CRM-M-31775-2016). In this regard, the complainant has given her affidavit dated 23.08.2016 (Annexure P-3).

In compliance of order dated 08.09.2016 passed by this Court, parties have got recorded their statements before the Illaqa Magistrate/trial Court. Status report, in this regard, has been received from the Judicial Magistrate Ist Class, Chandigarh. As per report, Ailisha-complainant (respondent No.2 made her statement on 19.10.2016 to the effect that she has compromised the matter with accused-Pankaj Panghal through his power of attorney Mr. Deva Singh Panghal. As per compromise, she has received permanent alimony vide drafts bearing No.652693 dated 24.08.2016 and 431753 dated 20.08.2016 (Ex.C2). She has no objection, if the aforesaid FIR is quashed. Statement of Mr. Deva Singh Panghal, Special Power of Attorney of Pankaj Panghal-petitioner was also recorded to the

same effect. In view of the separate statements of the parties, the Court is satisfied that the compromise is valid and genuine one.

Taking into account that the compromise has been effected between the parties vide compromise deed dated 23.08.2016, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice.

Consequently, in view of the compromise and the judgments passed by the Hon'ble Supreme Court in Madan Mohan Abbot vs. State of Punjab 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 302 dated 11.06.2015, under Sections 406/498-A IPC, registered at Police Station, Manimajra, U.T., Chandigarh and order dated 14.03.2016 passed by the Judicial Magistrate Ist Class, Chandigarh, declaring Pankaj Panghal-petitioner as proclaimed person, are quashed with all consequential proceedings arising therefrom qua the petitioner.

Both the petitions i.e. Crl. Misc No. M-31775 of 2016 & Crl. Misc No. M-31569 of 2016 stand disposed of accordingly.

15.11.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No