

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

Crl. Misc. No.M-35273 of 2015

Date of Decision: 15.02.2016

Mayank Malhotra and others

....Petitioners

Versus

State of Haryana and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Ramesh Sharma, Advocate
for the petitioners.

Mr. B.S. Virk, D.A.G., Haryana
for the respondent-State.

Mr. Atul Goyal, Advocate
for respondent No.2.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C by the petitioners, namely, Mayank Malhotra, Anjana Malhotra and Yograj Malhotra for quashing of FIR No.214 dated 29.04.2013 registered under Sections 354/376/406/498-A/506/420 IPC at Police Station Sector 5, Panchkula on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners submits that the challan was presented under Sections 406/498-A/420/506 IPC. However, during pendency of the proceedings, a compromise was arrived at between the parties. A divorce petition filed under Section 13-B of the Hindu Marriage

Act has also been allowed vide order dated 01.02.2016 and the complainant has no objection in quashing of the FIR on the basis of said compromise. She has specifically stated in her statement that she has received the amount as settled in the compromise.

Learned counsel appearing for respondent No.2 has also not disputed the submissions made by learned counsel for the petitioners regarding compromise as well as receipt of the amount and allowing the petition filed under Section 13-B of the Hindu Marriage Act.

The dispute has been settled between the parties by way of compromise and the complainant has no objection in quashing of the FIR. It has specifically been mentioned in the statement recorded by the trial Court that the complainant has no objection in quashing of the FIR as well as other proceedings arising therefrom. Moreover, this is a matrimonial dispute and no purpose would be served in continuation of the proceedings as the complainant is not going to support the case of the prosecution. Divorce has also been granted on the basis of consent of the parties.

In view of the above, the present petition is allowed and FIR No.214 dated 29.04.2013 registered under Sections 354/376/406/498-A/506/420 IPC at Police Station Sector 5, Panchkula along with all consequential proceedings arising therefrom, qua petitioners Mayank Malhotra, Anjana Malhotra and Yograj Malhotra are hereby quashed.

15.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE