

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

**CRM-M No. 3716 of 2016
Date of decision : 6.9.2016**

Bhanu Sahni

.....Petitioner

v.

U.T. Chandigarh and another

.....Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Ajay Singh Rawat, Advocate, for the petitioner

Mr. A.S. Sullar, Addl. PP for UT, Chandigarh

Mr. Anil Johar, Advocate, for respondent No.2

Ritu Bahri, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. seeking quashing of case FIR No. 256 dated 12.8.2015, under Section 406, 498-A of the IPC, registered at Police Station Sector 31, Chandigarh (Annexure P-1) on the basis of compromise dated 21.12.2015 (Annexure P-2).

Brief facts of the case are that the marriage of the petitioner was solemnized with respondent No.2 on 27.6.2010 and the parties lived together and cohabited as husband and wife. But due to differences in temperamental and opinion, both the parties could not save the marriage. Ultimately, the FIR was registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony of the area, the matter has now been amicably settled between the parties with the intervention of friends, elders and respectables, vide compromise deed dated 21.12.2015 (Annexure P-2).

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed by way of order dated 22.4.2016 by this Court.

In compliance of order dated 22.4.2016, learned trial Court has submitted the report vide letter dated 11.5.2016, which indicates that parties appeared before it and got recorded their respective statements with regard to validity of compromise. As per the report, compromise arrived at between the parties is genuine and without any pressure or coercion from any corner. Now no dispute is pending between the parties.

Consequently, in view of above said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. v. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910**; **“Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429”**, and the law laid down by the Full Bench judgment of this Court in the case of **“Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052”**, no useful purpose would be served in prolonging the litigation.

Accordingly, the present petition is allowed. FIR No. 256 dated 12.8.2015, under Section 406, 498-A of the IPC, registered at Police Station Sector 31, Chandigarh (Annexure P-1) is hereby quashed, on the basis of compromise dated 21.12.2015 (Annexure P-2), and all the criminal proceedings arising out of the said FIR also stand quashed.

(RITU BAHRI)
JUDGE

6.9.2016

Ashwani