

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

**CRM No. M-7942 of 2016
Date of decision: 20.09.2016**

Mukesh Sachdeva

...Petitioner

Versus

Union Territory, Chandigarh and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prateek Pandit, Advocate,
for the petitioner.

Mr. A.S. Virk, Addl. Public Prosecutor,
for U.T., Chandigarh.

Mr. Shashank Sharma, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 08 dated 29.09.2015, under Sections 406, 498-A IPC, registered at Police Station, Women, Chandigarh (Annexure P-1) is sought on the basis of compromise dated 20.02.2016 (Annexure P-4).

The F.I.R was registered on the basis of complaint made by Bharti Arora-respondent No.2 to the effect that her marriage was solemnized on 11.05.2014 with Mukesh Sachdeva-petitioner as per Hindu rites and rituals at Pallavi Hotel, Sector-5, Panchkula. Soon after the marriage, her husband (petitioner) and his sister Mrs. Jaiwanti started harassing and humiliating the complainant on the pretext of bringing insufficient dowry. Her husband gave her abuses many a times. She was also given beatings by him. In this background, the FIR was registered.

During the pendency of anticipatory bail before this Court, both the parties decided to dissolve their marriage by way of divorce with mutual consent. Ultimately, the matter has been compromised vide compromise dated 20.02.2016 (Annexure P-4).

In compliance with the order dated 28.03.2016 passed by this Court, the parties got recorded their statements before the Illaqa Magistrate. Report from the Judicial Magistrate Ist Class, Chandigarh, has been received in this regard. As per report, Bharti Arora-respondent No.2 (complainant) made her statement on 26.04.2016 to the effect that she has compromised the matter with Mukesh Sachdeva-petitioner at her own will and without any coercion or pressure vide compromise deed dated 20.02.2016 (Ex.C1). The matter was settled for a sum of Rs.11 lacs, out of which Rs.8 lacs have been paid to her by the petitioner. She has no objection if, the above said FIR is quashed subject to payment of Rs.3 lacs and passing of decree of divorce under Section 13-B of Hindu Marriage Act. Statement of Mukesh Sachdeva-petitioner was also recorded to the same effect. In view of separate statements given by the parties, the court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, 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**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 08 dated 29.09.2015, under Sections 406, 498-A IPC, registered at Police Station, Women, Chandigarh, is quashed

with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

20.09.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No