

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

**CRM No.M-9089 of 2016
Date of decision: 17.05.2016**

Nirmala Singh and another Petitioners

Versus

U.T. Chandigarh and another Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Aanchal Thakur, Advocate,
for the petitioner.

Mr. Gautam Kaile, Advocate, for
Mr. Rajiv Sharma, Advocate,
for the respondents-U.T. Chd.

Mr. Bhanu Partap Singh, Advocate,
for respondent No.2.

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

DAYA CHAUDHARY, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.212 dated 20.05.2011 registered under Sections 406 & 498-A IPC at Police Station Sector 34, Chandigarh on the basis of compromise arrived at between the parties.

Notice of motion was issued in this case on 16.03.2016 and parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

Learned counsel for the petitioner submits that statements of the parties have been recorded and complainant has specifically stated that she has no objection in quashing of the FIR and other proceedings.

Learned counsel for complainant has also affirmed the factum of compromise. He further submits that two post dated cheques of ₹20 lacs each drawn in favour of complainant were to be returned after receiving the demand draft of ₹20 lacs.

Learned counsel for the petitioner submits that she has brought draft amounting to ₹20 lacs in favour of complainant. The same has been handed over to learned counsel for the complainant which has further been handed over to the complainant who is present in the Court and has been identified by her counsel. One post dated cheque has also been returned.

Heard arguments of learned counsel for the parties and have also perused the documents available on file as well as statement of parties recorded in compliance of order passed by this Court on 16.03.2016.

It is matrimonial dispute and same has been settled by way of compromise. Complainant has received the settled amount and is not interested in continuation of the proceedings. She has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings.

No purpose would be served in case the proceedings are allowed to continue in future as the

complainant is not going to support the case of the prosecution because of compromise. The continuation of the proceedings would be a futile exercise and wastage of time of the Court as both the parties have settled their dispute by way of compromise.

By exercising the powers under Section 482 Cr.P.C and by considering the compromise arrived between the parties and the statement of the complainant, the present petition is allowed. FIR No.212 dated 20.05.2011 registered under Sections 406 and 498-A IPC at Police Station Sector 34, Chandigarh qua petitioners, namely Nirmala Singh and Vivek Singh and other proceedings arising out of the said FIR are hereby quashed.

17.05.2016
Dinesh

(DAYA CHAUDHARY)
JUDGE