

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

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Crl. Misc. M 26213 of 2016

Date of decision: 23.01.2017

Randhir Singh and another

..... Petitioners

Versus

State of UT Chandigarh and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Ravinder Rana, Advocate
 for the petitioners
 Mr. G S Chahal, APP for UT Chandigarh
 Mr. SPS Bhullar, Advocate
 for respondent No. 2

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 223 dated 11.04.2008 for offence punishable under Sections 406, 498-A and 420 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 39, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 11.02.2015 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner states that the petitioner No. 1 and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 11.02.2015.

Vide order dated 29.11.2016, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Chandigarh wherein it has been reported that

statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

Counsel for respondent No. 2 submits that he has no objection if the FIR and proceedings emanating therefrom are quashed.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 223 dated 11.04.2008 for offence punishable under Sections 406, 498-A and 420 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 39, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 11.02.2015 stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

23.01.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No