IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 30823 of 2016(O&M)

Date of decision: 21.4.2017

Rajan Kakkar ….Petitioner

VERSUS

U.T. Chandigarh and others .....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: None for the petitioner.

Mr. A.S. Sullar, Addl. P.P., U.T. Chandigarh.

None for respondent No.2.

REKHA MITTAL, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No. 309 dated 25.10.2014 for offence punishable under Section 498-A of the Indian Penal Code, 1860 registered at Police Station Sector 17, Chandigarh and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Sapna Kakkar daughter of Sh. Manohar Lal Vohra. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 30.01.2017, 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 Chief Judicial Magistrate, Chandigarh wherein it has been reported that

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

Counsel for the State has not disputed that the parties i.e. petitioner and respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No. 309 dated 25.10.2014 under Section 498-A IPC registered at Police Station Sector 17, Chandigarh and proceedings emanating therefrom stand quashed qua the petitioner.

APRIL 21, 2017 **(REKHA MITTAL)**
'D. Gulati' **JUDGE**

Whether speaking/reasoned : yes/no
Whether reportable : yes/no

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