

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

-.-

Crl. Misc. M 37128 of 2016
Date of decision: 16.01.2017

Rahul Kochhar

..... Petitioner

Versus

UT of Chandigarh and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. M S Saini, Advocate
for the petitioner

Mr. Deepinder Brar, APP for UT

None for the complainant

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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 petitioner has prayed for quashing of FIR No. 154 dated 08.06.2012 under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 26, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 18.08.2015 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner states that petitioner No. 1 and respondent No. 2 have mutually resolved their dispute vide compromise deed dated 18.08.2015.

Vide order dated 04.11.2016, 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 Additional Chief Judicial Magistrate, Chandigarh wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the U T Chandigarh does not dispute genuineness of the compromise in view of the report of trial Court.

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. 154 dated 08.06.2012 registered under Sections 406 and 498-A IPC registered with Police Station Sector 26, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 18.08.2015 stand quashed qua the petitioner.

(Rekha Mittal)
Judge

16.01.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No