

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

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Crl. Misc. M 42304 of 2016
Date of decision: 16.01.2017

Baljeet Kaur and others

..... Petitioners

Versus

U T Chandigarh and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Yesh Paal Malik, Advocate
for the petitioners

Mr. J S Toor, Addl. PP for UT Chandigarh

Mr. Rohit Khullar, Advocate
for the complainant/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. 103 dated 26.10.2016 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Women Police Station, Sector 17, Chandigarh and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

Counsel for the petitioners states that the parties have mutually resolved their dispute vide compromise deed dated 10.12.2016.

Vide order dated 17.12.2016, 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 UT Chandigarh does not dispute genuineness of the compromise in view of the report of trial Court. He also states that no proclaimed offender proceedings are pending and no challan has been presented in the case.

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. 103 dated 26.10.2016 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Women Police Station, Sector 17, Chandigarh and proceedings emanating therefrom on the

basis of compromise stand quashed qua the petitioners. Rajbir Singh petitioner No. 3 and Smt. Ramandeep Kaur-complainant shall remain bound by the terms and conditions.

(Rekha Mittal)
Judge

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