

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

-.-

Crl. Misc. M 9183 of 2017
Date of decision: 26.05.2017

Ajit Katoch and another

..... Petitioners

Versus

UT of Chandigarh and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Gaurav Gaur, Advocate
for the petitioners
Mr. Gagandeep S Wasu, APP for UT Chandigarh
Mr. Sudesh Sahi, 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. 240 dated 02.05.2015 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Mani Majra, District Chandigarh and proceedings emanating therefrom on the basis of compromise dated 17.02.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and complainant/respondent No 2 have resolved their differences and the complainant is residing with petitioner No.1-husband in her matrimonial home and is leading a blissful married life.

Vide order dated 18.03.2017, 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 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 report of the Court below.

Counsel for respondent No. 2 has conceded to the position.

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. 240 dated 02.05.2015 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Mani Majra, District Chandigarh and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioners.

(Rekha Mittal)
Judge

26.05.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No