

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

**CRM M-5360-2019 (O&M)
Date of Decision : 25.04.2019**

Harsh Raj Poddar and others

..... Petitioners

Versus

Union Territory, Chandigarh and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Sh. Prem Prakash Poddar, petitioner No.2.
 Sh. O.P.Poddar, father of respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.0065 dated 13.08.2018, registered under Sections 406, 498-A IPC, at Police Station Women Police Station, Chandigarh and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Aruna Poddar daughter of Sh. O.P.Poddar. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 04.02.2019, 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, 1st Class, Chandigarh wherein it has been reported that

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

Sh. Prem Prakash Poddar, petitioner No.2 and Sh. O.P.Poddar, father of respondent No.2 have stated that the parties i.e. petitioners 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.0065 dated 13.08.2018, registered under Sections 406, 498-A IPC, at Police Station Women Police Station, Chandigarh and proceedings emanating therefrom stand quashed qua the petitioners.

However, the police is directed to return the dowry articles i.e. jewellery, which were recovered from the petitioners and now are lying in the police station, to respondent No.2-complainant-Smt. Aruna Poddar against proper receipt and identification.

(RAJ SHEKHAR ATTRI)
JUDGE

25.04.2019
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No