

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

CRM-M-20999-2018

Date of decision: February 11, 2019

Harpal Kaur and others

...Petitioners

Versus

UT Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Jaideep Kaur, Advocate
for the petitioners.

Mr. Vaibhav Goel, Advocate for
Ms. Ashima Mor, APP, UT Chandigarh.

Mr. Kashish Garg, Advocate for
Mr. Tarun Singla, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.102 dated 08.09.2017, under Sections 406, 498-A of the Indian Penal Code (for short 'IPC'), registered at Police Station Women, Chandigarh and subsequent proceedings arising therefrom on the basis of compromise dated 07.05.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Bhagwant Singh son of Joginder Singh. Now, dispute between the parties has been resolved.

Vide orders dated 18.12.2018 and 07.02.2019, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Chandigarh wherein it has been reported that statements of the parties have been recorded and compromise entered between

the parties is voluntarily, without any pressure, coercion or threat from any side.

Learned counsel for the State as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondent No.3 (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 and FIR No.102 dated 08.09.2017, under Sections 406, 498-A IPC, registered at Police Station Women, Chandigarh and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

February 11, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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