

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-20687-2019 (O&M)
Date of Decision:- 2.9.2019

Naushad ... Petitioner

Versus

U.T.Chandigarh and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. V.S.Rana, Advocate for
Mr. A.P.S.Rana, Advocate, for the petitioner.

Mr. Parveen Chauhan, Advocate for
Mr. Gagandeep Singh, APP, for U.T. Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.36, dated 28.4.2018, registered at Police Station Women Police Station, Sector 17, Chandigarh, under Sections 406 and 498-A IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. It may here be mentioned that earlier the petitioner had approached this Court by way of filing CRM-M-25879-2018 seeking grant of anticipatory bail wherein the petitioner as well as his wife Tabsum were referred to Mediation and Conciliation Centre to probe the possibility of compromise.

3. With the intervention of the Mediator, the parties were able to resolve their issues and have entered into a compromise as per settlement dated 19.3.2019. The relevant extract from the settlement reads as follows:

- “3. It has been further agreed that Naushad shall be responsible to maintain the house. Naushad shall make every effort so that there is no scarcity of any item in the house hold necessary for meals and other necessities.
4. It has been further agreed and accepted between the parties that Tabassum shall not object to the grant/confirmation of anticipatory bail granted to Naushad.
5. It has been further agreed and accepted between the parties that Tabassum shall not object to the quashing of the FIR No. 36 dated 28.04.2018 under Section 406, 498-A IPC registered at P.S. Women Police Station, Sector 17, Chandigarh. Tabassum further undertake to make statement or to file affidavit in the Hon'ble High Court or as directed by the Hon'ble High Court for the quashing/closing of the abovementioned FIR.
6. It has been further agreed and accepted between the parties that both sides shall submit a copy of present settlement in the Women Cell, Chandigarh to close the complaint filed by Tabassum for implementation of Panchayati Comproise.
7. It has been further agreed and accepted between the parties that in case any party backs out from the present compromise, in that event the other party shall have the right to pursue the cases from the

stage from which it was withdrawn in pursuance to the present compromise.

8. It has been further agreed between the parties that none of the parties shall file or pursue any unwanted litigation against each other.”
4. Both the parties are present in person and have both endorsed the factum of compromise and have stated that they have been residing together ever since March, 2019 and wish to reside together like husband and wife.
5. In view of the aforestated position wherein this Court finds that it is a case which had arisen out of some minor matrimonial discord which has been resolved amicably amongst the parties, no purpose would be served by prosecuting the petitioner. The petition, as such, is accepted and FIR No.36, dated 28.4.2018, registered at Police Station Women Police Station, Sector 17, Chandigarh, under Sections 406 and 498-A IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.
6. It is clarified that in case any of the household articles or other articles had been taken into possession by the police/Women Cell, Sector 17, Chandigarh, the same be released to the complainant.

September 2, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No