

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

CRM-M-48062-2018

Date of decision: March 06, 2019

Ankush Chauhan

...Petitioner

Versus

UT of Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Chiranshu Bansal, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Sumit Jain, APP, UT Chandigarh.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0046 dated 11.05.2018, under Section 498-A of the Indian Penal Code, 1860 (for short 'IPC') registered at Women Police Station, District Chandigarh and subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Nancy wife of Ankush Chauhan. Now, dispute between the parties has been resolved.

Vide order dated 07.01.2019, the parties were directed to appear before the learned trial court/illqa 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 UT Chandigarh as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, 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 and FIR No.0046 dated 11.05.2018, under Section 498-A IPC registered at Women Police Station, District Chandigarh and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

However, the parties shall remain bound by the terms and conditions of the compromise as well as the statements recorded before the court below.

March 06, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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