IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37184-2019
Date of decision:24.10.2019

SATINDER KUMAR

.....Petitioners

Versus

STATE OF UT CHANDIGARH AND ANOTHER

.....Respondents

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CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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Present: Mr. Sunny Bhardwaj, Advocate
for the petitioner.

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GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 372 dated 31.12.2014 under Sections 498-A of the Indian Penal Code, Police Station Sector-36, Chandigarh and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Learned counsel for the petitioner has submitted that the present petition is the second petition filed on behalf of the petitioner seeking quashing of FIR on the ground of compromise and that the earlier petition had been got dismissed as withdrawn since the counsel for the complainant had stated that no settlement has taken place between the parties. Learned

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counsel for the petitioner has submitted that subsequently there has been change in circumstances inasmuch as now the parties have effected compromise before the Lok Adalat and had made statements to that effect before the Lok Adalat headed by Judicial Magistrate Ist Class, Chandigarh on 13.7.2019. Learned counsel in this regard has drawn the attention of this Court to the statement annexed as Annexure P-3.

3. In view of the aforestated subsequent development and the fact that the matter in fact arises out of a matrimonial discord and the parties have now decided to bury the hatchet and are residing together, the present petition is entertained.

4. Notice of motion.

5. At this stage, Mr. Judgepreet Singh Warring, Advocate has put in appearance on behalf of respondent No.2 and has filed power of attorney, which is taken on record.

6. On the asking of the Court, Mr Rajiv Vij, Addl. P.P., Chandigarh present in this Court, accepts notice on behalf of respondent No.1. Complete set of petition has been supplied to him in the Court itself.

7. The complainant Mrs. Kamna is present in person, who has been duly identified by learned counsel for the complainant.

8. Keeping in view the fact that the complainant has made a categoric statement before the learned Judicial Magistrate Ist Class on 13.7.2019 to the effect that she agrees to withdraw the present case as well as application filed under Section 125 Cr.P.C. and also the fact that both the parties have resolved the dispute and are in fact residing together as has

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been stated by learned counsel for the petitioner as well as learned counsel for the complainant, the petition is accepted and FIR No. 372 dated 31.12.2014 under Section 498-A of the Indian Penal Code, Police Station Sector-36, Chandigarh and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

(GURVINDER SINGH GILL)
JUDGE

24.10.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No

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