

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

CRM-M-56128-2018 (O&M)

Date of decision: 5.4.2019

Major Karthiekeya Saini and others

...Petitioner(s)

VERSUS

State of UT, Chandigarh and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Isha Goyal, Advocate,
for the petitioner(s).

Mr. Sukant Gupta, Addl. PP, UT, Chandigarh

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No. 374 dated 31.7.2015 for offence punishable under Sections 406, 498A of the Indian Penal Code registered at Police Station Sector 34, U.T., Chandigarh and proceedings emanating therefrom on the basis of compromise (Annexures P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Mrs. Tanu Sehgal daughter of K.K.Sehgal. Now, dispute between the parties has been resolved by way of compromise Annexures P-3.

Counsel for the petitioner has placed on record copy of the joint statement of the parties and copy of divorce decree dated 9.3.2019 which are taken on record.

Counsel for the complainant states that the matter has been amicably settled and the parties have obtained divorce. Nothing is due towards each other.

Counsel for the State has not disputed that the parties have arrived at a settlement.

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. 374 dated 31.7.2015 under Sections 406, 498A IPC registered at Police Station Sector 34, Chandigarh and proceedings emanating therefrom stand quashed qua the petitioner(s).

April 5, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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