

CRM-M-24289-2020 (O&M)

Date of Decision : 26.10.2020

Nitin Rana and Others

...Petitioners

Versus

State of U.T. Chandigarh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Davinder Pal Soni, Advocate
for the petitioners.

Mr. Anil Kumar Lamdharia, Addl. Public Prosecutor,
U.T. Chandigarh.

Respondent-Ritu Kadian in person.

Harinder Singh Sidhu, J (Oral)

The case has been taken up through video conferencing on account of Covid-2019 pandemic.

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.123, dated 29.09.2019 under Sections 406, 498-A, IPC, 1860 registered at Women Police Station, Sector-17, Chandigarh and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise deed dated 16.09.2020.

Notice of motion was issued. Learned counsel for U.T. Chandigarh and respondent No. 2 appeared.

I have heard learned counsel for the parties and have gone through the record.

Vide order dated 25th August, 2020, the parties were directed to appear before the trial Court/Area Magistrate on 11.09.2020 for getting their statements recorded with regard to the compromise.

A report dated 13.10.2020 of learned JMIC, Chandigarh has been received. As per the report, the parties had appeared before learned JMIC, Chandigarh and got recorded their statements regarding compromise. Learned Magistrate has stated that she is of the considered view that the compromise between the parties is valid, genuine, voluntary and without any coercion or undue influence.

Keeping in view the above facts, I am of the considered opinion that it is a fit case in which the impugned FIR is liable to the quashed.

Therefore, the present petition is allowed. FIR No.123, dated 29.09.2019 under Sections 406, 498-A, IPC, 1860 registered at Women Police Station, Sector-17, Chandigarh along with all other consequential proceedings arising out of the said FIR, are hereby quashed.

(HARINDER SINGH SIDHU)
JUDGE

October 26, 2020
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No