

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 237

CRM-M-9902-2020 (O&M)

Date of decision : 22.03.2022

Puneet Uberoi and others

..... Petitioners

VERSUS

Union Territory Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Bagga, Advocate, for the petitioners.

 Mr.V.S.Mahal, Addl.P.P., UT, Chandigarh.

 Ms.Monika Thakur, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.92 dated 07.12.2018 registered under Sections 323, 406 and 498-A IPC at Women Police Station, Chandigarh on the basis of a compromise dated 19.07.2019 (Annexure P-2) entered into between the parties.

On 12.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the authenticity of the compromise and that the same has been effected without any kind of undue influence or pressure as also to inform whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required.

As directed, report dated 07.04.2021 from the Judicial Magistrate Ist Class, Chandigarh has been received as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the compromise is genuine, valid and without any coercion or

undue influence and that only the petitioners are arrayed as accused against whom no other case/proceedings are pending

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which arises from a matrimonial dispute between the petitioners and the daughter (since deceased) of respondents No.2 and 3 as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash FIR No.92 dated 07.12.2018 registered under Sections 323, 406 and 498-A IPC at Women Police Station, Chandigarh and all proceedings arising therefrom qua the petitioners.

22.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No