

CRM-M-7826-2023

258 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7826-2023 (O&M)

Date of Decision: 25.09.2023

SAKET DALAL

...Petitioner

V/S

STATE OF UT CHANDIGARH AND ANR.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anuj Garg, Advocate for the petitioner.

Mr. Rajiv Vij, Addl. PP UT Chandigarh.

Mr. Shiv Kumar Sharma, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.25 dated 17.02.2016 under Sections 406, 498-A of Indian Penal Code registered at Police Station Women District Chandigarh and all other consequential proceedings arising therefrom on the basis of compromise dated 07.12.2022 (Annexure P-2).
2. This Court vide order dated 24.05.2023 directed the parties to get their statements recorded before the trial Court. A report dated 11.08.2023 from Judicial Magistrate 1st Class, Chandigarh has been received through District and Sessions Judge, Chandigarh according to which the statements of the parties have been recorded and the compromise is genuine and has been arrived at between them voluntarily, without any coercion or undue influence.
3. Learned State counsel has admitted the factum of compromise and put forth his no objection to quashing of the FIR.
4. A Full Bench of this Court in **Kulwinder Singh and others v.**

State of Punjab and another reported as 2007(3) RCR(Criminal) 1052 and Hon’ble Supreme Court in Ramgopal and another vs. State of Madhya Pradesh, 2022 ILR (M.P.) 228, has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape dacoity etc. as such offences are not private in nature and have serious impact on society.

5. In view of the above judicial pronouncements, this Court is of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

6. Consequently, this petition is allowed and FIR No.25 dated 17.02.2016 under Sections 406, 498-A of Indian Penal Code registered at Police Station Women District Chandigarh, and all other consequential proceedings arising therefrom are quashed qua the petitioner.

25.09.2023

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No