

PANKAJ CHOPRA AND OTHERS

... PETITIONERS

V/S

STATE OF UT CHANDIGARH AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Monu, Advocate for
Mr. G.S. Salana, Advocate for the petitioner.
Mr. Ankur Bali, Addl. P.P. U.T. Chandigarh.
Mr. Karan Dev Sharma, Advocate, for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.58 dated 14.07.2020 under Sections 323, 406, 498-A IPC registered at Police Station Women, UT, Chandigarh and all consequential proceedings arising therefrom on the basis of the compromise deed dated 28.09.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2 due to matrimonial dispute, which stands resolved now. All matters stand amicably settled, in view of the compromise deed (Annexure P-2).

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 18.10.2022, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 21.11.2022, received from the learned

Judicial Magistrate First Class, Chandigarh the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case. The statement of petitioner was also recorded by the Area Magistrate wherein he has stated that in terms of the settlement, a decree of divorce has also been granted in the petition under Section 13-B of the Hindu Marriage Act vide order dated 07.11.2022.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] The matrimonial dispute between the parties stands settled. Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon’ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543* and the decision of Hon’ble the Full Bench of this Court in *Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052*, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 58 dated 14.07.2020 under Sections 323, 406, 498-A IPC registered at Police Station Women, UT, Chandigarh and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 28.09.2022 are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

06.05.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No