(2008) 08 P&H CK 0145

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. 13826-M of 2008

Raman Kumar Verma and another		APPELLANT
	Vs	
Smt. Lyuba Verma and another		RESPONDENT

Date of Decision: Aug. 22, 2008

Acts Referred:

- Penal Code, 1860 (IPC) - Section 406, 498A

Citation: (2008) 4 RCR(Criminal) 696

Hon'ble Judges: Augustine George Masih, J

Bench: Single Bench

Advocate: S.S. Antal, for the Appellant; Vikas Awasthy, Advocate for the Respondent No. 1 and Mr. A.S. Brar, DAG, Punjab for the Respondent No. 2, for the Respondent

Judgement

Augustine George Masih, J.
Counsel for the petitioners states that a compromise has been entered into between the parties on 09.02.2008, which is appended as Annexure P-2, wherein all disputes between the parties have been settled.

2. On notice having been issued, affidavit of Lyuba Verma respondent No. 1 has been filed in the Court, wherein the factum regarding the compromise between the parties has been accepted. It has further been stated in the affidavit that she has no objection to the compounding of the offences under Sections 406 and 498-A and the quashing of the complaint and the subsequent proceedings arising therefrom in view of the compromise. It has further been stated in the affidavit that the compromise deed has been executed without any coercion, undue influence and on her own free will. Lyuba Verma D/o Sh. Radhi Krishan, is present in the Court and is identified by her counsel. She also accepts the contents of the affidavit, which has been filed in the Court.

3. Counsel for the petitioner relies upon a judgment of the Supreme Court in the case of Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and Another, to submit that even in an appeal against conviction, if the parties enter into a compromise with regard to an offence u/s 498-A of the Indian Penal Code, the proceedings can be quashed.

4. I have heard the counsel for the parties and on going through the record and the judgment passed by the Hon''ble Supreme Court in the case of Arvind Barsaul (Dr.) and others. v. State of Madhya Pradesh and another (supra), this petition is allowed. The complaint No. 38/1 dated 20.04.1999 is hereby quashed. All consequential proceedings arising therefrom are also quashed.