

Raman Kumar Verma and Another Vs Lyuba Verma and Another

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Aug. 22, 2008

Acts Referred: Penal Code, 1860 (IPC) & Section 498A

Citation: (2008) 26 CriminalCC 229

Hon'ble Judges: Augustine George Masih, J

Bench: Single Bench

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

Final Decision: Allowed

Judgement

Augustine George Masih, J.

Counsels for the petitioners states that a compromise has been entered into between the parties on

09.02.2008, which is appended as Annexure P2, 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 498A 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 498A 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 vs. 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.