

Crl.Misc.No.M-15500 of 2009

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Crl.Misc.No.M-15500 of 2009.
Decided on: March 31, 2010.**

Major Aman Tara and others

.. Petitioners

VERSUS

State of Haryana and others

.. Respondents

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Shailender Sharma, Advocate, for the petitioners.
Ms.Shubhra Singh, DAG, Haryana.**

M.M.S. BEDI, J. (ORAL)

Despite service, respondent No.4, has opted not to appear before the Court.

Quashing of FIR No.31 dated 10.02.2005, under Sections 498-A,406/34 & 120-B IPC, registered at Police Station, Mahesh Nagar, Ambala Cantt, has been prayed for on the basis of compromise implying that the averments regarding the compromise in the petition are correct. It is apparent from the record that the marriage between petitioner No.1 and respondent No.4, stands dissolved by mutual consent under Section 13-B of the Hindu Marriage Act.

Taking into consideration the above said circumstances, the continuation of proceedings against the petitioner will be an abuse of process of the Court.

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Respondent No.4 has not appeared to controvert the compromise Annexure P-2. Sum of Rs.8,50,000/- has already been received by respondent No.4. The above said FIR and all the criminal proceedings emanating therefrom are hereby quashed in the interest of justice, as it will be an abuse of process of the Court .

The petition is allowed.

(M.M.S.BEDI)
JUDGE

March 31, 2010.
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