

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

CRM-M No.1820 of 2020

Date of Decision: 01.09.2023

Gurpreet Singh & Anr.

...Petitioners

Versus

State of Punjab & Anr.

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rajneesh Malhotra, Advocate, appearing for
Mr. K.S. Kahlon, Advocate,
for the petitioners.

Mr. Virat Rana, AAG, Punjab,
for respondent No.1-State.

Mr. Atul Aggarwal, Advocate,
for respondent No.2.

* * * *

MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioners have prayed for the quashing of the FIR bearing No.145 dated 28.11.2019 registered at Police Station Dhariwal, District Gurdaspur, under Sections 498-A & 406 IPC as well as all the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, culminating in the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled by respondent No.2-complainant in the subject FIR, are that the petitioners had subjected her to cruelty for bringing insufficient dowry and

for demanding more dowry and also due to the non-fulfilment of their above-said demand.

3. Vide the order dated 12.05.2022 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Area Magistrate/ trial Court on 18.07.2022 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Chief Judicial Magistrate, Gurdaspur, recorded their (parties') statements and has submitted his report (as already available on the file), while mentioning therein that only two persons, i.e the petitioners, have been arraigned as the accused and there is only one complainant, i.e respondent No.2, in the present case and the compromise arrived at between the petitioners and respondent No.2, is genuine and has been affected by them voluntarily, out of their free will and without any coercion or undue influence and none of the petitioners has been declared proclaimed offender nor any criminal case is pending against them. The joint statement of the petitioners and the separate statements of the complainant and the Investigating Officer named ASI Gurdeep Singh, have been annexed with the above-said report.

4. I have heard learned counsel appearing for the petitioners as well as learned State counsel and learned counsel for respondent No.2 in the present petition and have also perused the file thoroughly.

5. The afore-mentioned compromise has been affected to put the dispute between the parties at rest for all the times to come and in view of the same, there are bleak chances of the conviction of the petitioners and in these circumstances, the continuation of the proceedings in the case arisen

out of the subject FIR, would be an exercise in futility.

6. Keeping in view the above-discussed facts and circumstances and also the observations as made by Hon'ble the Supreme Court in **Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543,** the FIR bearing No.145 dated 28.11.2019 as registered at Police Station Dhariwal, District Gurdaspur, under Sections 498-A & 406 IPC as well as all the subsequent proceedings arising therefrom are hereby quashed. The petition in hand stands allowed accordingly.

01.09.2023

seema

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>