

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

**CRM-M No.3877 of 2023  
Date of Decision: 01.09.2023**

Sharwan Kumar

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

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

Present:- Mr. G.S.Sandhu, Advocate,  
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana,  
for respondent No.1-State.

Mr. Dinesh Maurya, Advocate,  
for respondent No.2.

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**MEENAKSHI I. MEHTA, J.(ORAL)**

The petitioner herein seeks the quashing of FIR No.45 dated 22.10.2018 registered at Women Police Station Assandh, District Karnal, under Sections 323, 342, 406, 498-A and 506 IPC (wherein the offence under Section 342 IPC is stated to have been deleted later-on) as well as all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise regarding their dispute, culminating in the registration of the said FIR.

2. Bereft of unnecessary details, the allegations, as levelled by the prosecution against the petitioner in the present case, are that he had subjected respondent No.2-complainant to cruelty for bringing insufficient

dowry and for demanding more dowry and had given beatings to her due to the non-fulfilment of his above-said demand.

3. Vide the order dated 24.01.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Illaqa/Duty Magistrate on 22.03.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Assandh, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that the compromise arrived at between the parties is genuine and bona-fide and it has been affected voluntarily and without any pressure and there is no other accused, except the petitioner, in the criminal case under reference and he has never been declared proclaimed offender nor he is involved in any other criminal case. Statements of respondent No.2, the petitioner and the Investigating Officer named ASI Parveen Lata have been annexed with the above-said report. Learned counsel for the petitioner has also submitted the copies of the judgment and the decree, as passed by learned Additional Principal Judge (Family Court), Camp Court, Assandh, on 08.08.2023 qua the dissolution of the marriage between the petitioner and respondent No.2-complainant, in the Court, today and the same have been placed on the file.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2, in the instant 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 as is explicit from the above-said copies of the judgment and decree passed on 08.08.2023, the petitioner and respondent No.2 have already parted their ways by way of dissolution of their marriage on the basis of their mutual consent, as envisaged under Section 13-B of the Hindu Marriage Act, 1955. It being so, there are bleak chances of the conviction of the petitioner 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 afore-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.45 dated 22.10.2018 as registered at Women Police Station Assandh, District Karnal, under Sections 323, 342, 406, 498-A & 506 IPC (wherein the offence under Section 342 IPC is stated to have been deleted later-on) as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

01.09.2023

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(MEENAKSHI I. MEHTA)  
JUDGE

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|----------------------------|-----|
| Whether speaking/reasoned: | Yes |
| Whether Reportable:        | No  |