

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

**CRM-M No.9143 of 2023 (O&M)
Date of Decision: 03.07.2023**

Priyanka

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

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

Present:- Dr. Jaiveer Singh Malik, Advocate,
for the petitioner.

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

Mr. Rabinder Singh, Advocate,
for respondent No.2.

* * * *

MEENAKSHI I. MEHTA, J.

CRM No.11805 of 2023

By way of the instant application, the applicant-petitioner has sought the permission to place the copy of the decree of divorce dated 08.03.2022 passed by learned Additional Principal Judge, Family Court at Rohtak, on the record in compliance of the order passed by this Court on 21.02.2023.

Notice in the application.

Learned State counsel as well as learned counsel for respondent No.2 accept the notice.

Heard.

Keeping in view the reasons as mentioned in this application, the same is allowed as prayed for.

CRM No.11807 of 2023

The present application has been moved on behalf of the applicant-petitioner for seeking pre-ponement of the date of hearing in the main petition from 03.07.2023 to some earlier date.

Explicitly, the instant application has become infructuous and therefore, the same stands disposed of accordingly.

CRM-M No.9143 of 2023

The petitioner herein seeks the quashing of the FIR bearing No.019 dated 23.10.2018 registered at Police Station Women West, Gurugram, under Section 498-A IPC, while averring that the parties have arrived at a compromise in respect of their dispute culminating in the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled by the informant-complainant-petitioner against respondent No.2-accused are that she had subjected her (petitioner) to cruelty for demanding more dowry and due to the non-fulfilment of the said demand.

3. Vide the order dated 21.02.2023 as passed by the Co-ordinate bench, the parties had been directed to appear before learned Illaqa/Duty Magistrate on 10.03.2023 for recording their statements in respect of the afore-said compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Gurugram, recorded their (parties') statements and has submitted his report (which is already available on the file) while

mentioning therein that the compromise affected between the parties is genuine, voluntarily and valid and is not the result of any fraud or misrepresentation and that as per the statement of the Investigating Officer, there is only one accused namely Saroj Devi, i.e respondent No.2, in the present case. The Investigating Officer named L/ASI Surekha has also specifically stated that the subject FIR had been registered against respondent No.2 Saroj Devi, Mohit and Satbir but during the investigation, said Mohit and Satbir were found to be innocent and the Challan has been presented against accused Saroj Devi only and this accused is neither involved in any other case nor has been declared a proclaimed offender. The statements of the petitioner, respondent No.2 and the above-named Investigating officer as well as the copy of the judgment handed down by the concerned Family Court at Rohtak on 08.03.2022, have been annexed with the said report.

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. Moreover, the petitioner and her husband Amit, i.e the son of respondent No.2-accused, have already parted their ways by way of the dissolution of their marriage vide the above-said judgment and decree dated 08.03.2022 passed 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 respondent No.2 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 the Apex Court in **Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543**, the FIR bearing No.019 dated 23.10.2018 registered at Police Station Women West, Gurugram, under Section 498A IPC, is hereby quashed. The petition in hand stands allowed accordingly.

03rd July, 2023
seema

(MEENAKSHI I. MEHTA)
JUDGE

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