

2023:PHHC:099277

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

267

CRM-M No.10657 of 2023

Date of Decision: 02.08.2023

Gurmeet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

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

Present:- Mr. Vinod Kumar, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Addl. A.G., Punjab
for respondent No.1-State.

Mr. Bhisham Kumar, Advocate appearing for
Mr. Parvez Akhtar Dhaliwal, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioner has prayed for the quashing of the FIR bearing No.14 dated 19.01.2019 registered at Women Police Station Ludhiana, Police Commissionerate Ludhiana, under Sections 406 & 498-A IPC and all the consequential proceedings arising therefrom, while averring that the parties have entered into 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 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 on account of non-fulfilment of his demand for

more dowry and had also retained her '*Istridhan*' and other dowry articles.

3. Vide the order dated 20.03.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Illaqa/Duty Magistrate on 20.04.2023 for recording their statements in respect of the afore-referred compromise. In compliance of this order, learned Judicial Magistrate Ist Class, Ludhiana, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that she was of the considered view that the compromise arrived at between the petitioner and the complainant is valid, genuine and voluntary and the same has been affected without any coercion or undue influence and as per statement of the Investigating Officer SI Raghuvir Singh, there is one accused, i.e the petitioner and only one complainant, i.e respondent No.2, in this case and the petitioner has never been declared proclaimed offender nor is involved in any other criminal case. The statements of the petitioner, the complainant and the above-named Investigating Officer have been annexed with the afore-said report.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel appearing for respondent No.2 in the instant petition and have also perused the file carefully.

5. The above-mentioned compromise has been affected to put the dispute between the parties at rest for all the times to come and in view thereof, 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.14 dated 19.01.2019 as registered at Women Police Station Ludhiana, Police Commissionerate Ludhiana, under Sections 406 and 498-A IPC as well as all the consequential proceedings arising therefrom (if any) are hereby quashed. The petition in hand stands allowed accordingly.

02.08.2023

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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No