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2023:PHHC:118756

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.16837 of 2023

Date of Decision: 11.09.2023

Mandeep Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present:- Mr. Praagbir S. Dhindsa, Advocate appearing for
Mr. H.S. Dhindsa, Advocate
for the petitioners.

Mr. Virat Rana, AAG, Punjab
for respondents No.1 to 3.

Mr. Ramandeep Singh, Advocate
for respondent No.4.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioners have prayed for the quashing of FIR No.09 dated 02.05.2019 registered at Police Station NRI, District Hoshiarpur, under Sections 498-A & 406 IPC, 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.4-complainant in the subject FIR, are that the petitioners had subjected her to cruelty for bringing insufficient dowry and also for demanding more dowry and due to the non-fulfilment of their above-said demand as well.

3. Vide the order dated 10.04.2023 as passed by the Co-ordinate Bench, the parties were directed to appear before the concerned Illaqa/Duty Magistrate on 24.05.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Hoshiarpur, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that the parties have entered into the compromise voluntarily and without any threat, coercion or pressure and the same is genuine and as per the statement of the Investigating Officer ASI Sukhjinder Singh, there are only three accused, i.e the petitioners and one complainant/aggrieved person, i.e respondent No.4, in this case and the petitioners have not been declared proclaimed offenders and no other case is pending against them. Statements of the petitioners, respondent No.4 and the Investigating Officer 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.4, in the present petition and have also perused the file carefully.

5. The afore-mentioned compromise has been affected to put the dispute between the parties at rest for all times to come and in view thereof, 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.09 dated 02.05.2019 as registered at Police Station NRI, District Hoshiarpur, under Sections 498-A and 406 IPC is hereby quashed. The petition in hand stands allowed accordingly.

11.09.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*