

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

**CRM-M No.20132 of 2023
Date of Decision: 12.09.2023**

Ritesh Kumar @ Paru

...Petitioner

Versus

State of Punjab and another

...Respondents

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

Present:- Mr. Gobind Singh Randhawa, Advocate
for the petitioner.

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

Mr. G.S. Bajwa, Advocate appearing for
Mr. S.K. Chaudhary, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioner has prayed for the quashing of FIR No.069 dated 02.04.2023 registered at Police Station City Gurdaspur, District Gurdaspur, under Sections 498-A, 406 & 323 IPC, along-with all the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, leading to the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled by respondent No.2-complainant/wife in the subject FIR, are that

the petitioner-husband had subjected her to cruelty for bringing insufficient dowry and also for demanding more dowry and due to the non-fulfilment of his above-said demand as well.

3. Vide the order dated 24.04.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the trial Court/Duty Magistrate on 12.05.2023 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 the compromise affected between the parties seemed to be genuine and they had made the statements qua the same, voluntarily and without any coercion or undue influence and that as per the statement of the Investigating Officer, SI Rajinder Kaur, except the petitioner, none else has been arraigned as the accused in the above-said FIR and besides respondent No.2-complainant, there is no other victim in the criminal case under reference and the petitioner is neither involved in any other criminal case nor has not been declared proclaimed offender in this case. Statements of respondent No.2, the petitioner and the 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 present 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 times to come and 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.069 dated 02.04.2023 as registered at Police Station City Gurdaspur, District Gurdaspur, under Sections 498-A, 406 & 323 IPC as well as all the subsequent proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

12.09.2023
neetu

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No