

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

CRM-M No.24277 of 2023

Date of Decision: 29.08.2023

Ravinder Kumar & Anr.

...Petitioners

Versus

State of Haryana & Anr.

...Respondents

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

Present:- Mr. Satnam Singh Sishodia, Advocate, appearing as
proxy counsel for Mr. Naresh Paul Chandel, Advocate,
for the petitioners.

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

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

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioners have prayed for the quashing of the FIR bearing No.375 dated 04.08.2018 registered at Police Station Pehowa, Haryana, under Sections 406 & 498-A IPC as well as all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, culminating in the registration of the said FIR.

2. Bereft of unnecessary details, the allegations, as levelled by the prosecution against the petitioners in the present case, are that they had subjected respondent No.2-complainant to cruelty for bringing insufficient dowry and had also retained her '*Istri-dhan*' including ornaments.

3. Vide the order dated 12.05.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Illaqa/Duty Magistrate on 11.07.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Sub Divisional Judicial Magistrate, Pehowa, recorded their (parties') statements and has submitted his report (which is already available on the file), while mentioning therein that the compromise has been affected between the parties voluntarily and without any fraud, misrepresentation or coercion and that besides the petitioners, three more persons namely Ram Singh, Sukhdev Singh and Ritu Rani had also been nominated as the accused in the above-mentioned FIR but however, during the investigation, they had been found to be innocent and moreover, the petitioners are not involved in any other criminal case nor have been declared proclaimed offenders. The joint statement of the petitioners and the separate statements of respondent No.2 and the afore-named Investigating Officer, have been annexed with the above-discussed report.

4. I have heard learned proxy counsel for the petitioners 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 in view of the same, 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.375 dated 04.08.2018 as registered at Police Station Pehowa, Haryana, 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.

29.08.2023*seema*

(MEENAKSHI I. MEHTA)
JUDGE

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