

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

**CRM-M No.28733 of 2023
Date of Decision: 25.09.2023**

Amar Pal and others

...Petitioners

Versus

State of Haryana and another

...Respondents

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

Present:- Mr. Jayoti Parshad Sharma, Advocate
for the petitioners.

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

Mr. D.S. Nain, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioners have prayed for the quashing of FIR No.0725 dated 17.11.2022 registered at Police Station City Palwal, under Sections 323, 406 & 498-A read with Section 34 IPC, along-with all the subsequent 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. Shorn and short of unnecessary details, the allegations, levelled by respondent No.2-complainant in the subject FIR, are that the petitioners had been subjecting her to cruelty for bringing insufficient dowry and also for demanding more dowry and during the period of her pregnancy, they turned

her out from her matrimonial home and now, they have refused to keep her and her daughter with them.

3. Vide the order dated 02.06.2023 as passed by the Co-ordinate Bench, the parties were directed to appear before the concerned Illaqa/Duty Magistrate on 10.08.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Additional Chief Judicial Magistrate, Palwal, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that from the statements of the parties, it seems that the compromise arrived at between them is genuine and the same has been affected by them voluntarily and without any coercion or undue influence and that there are 04 accused in the present case and none of them has been declared proclaimed offender and no such proceedings have been initiated nor are pending in the Court and they are also not involved in any other criminal case. Separate statements of respondent No.2-complainant, petitioner No.1 and ASI Vijaypal and the joint statement of petitioners No.2 to 4, have been annexed with the above-said report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondent No.2, in this 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 quite 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.0725 dated 17.11.2022 as registered at Police Station City Palwal, under Sections 323, 406 & 498-A read with Section 34 IPC as well as all the subsequent proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

25.09.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No