

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

**CRM-M No.28708 of 2023
Date of Decision: 16.08.2023**

Rohit Sehgal

...Petitioner

Versus

State of Punjab & Anr.

...Respondents

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

Present:- Mr. Rahul Rana, Advocate, appearing for
Mr. Ishan Gupta, Advocate,
for the petitioner.

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

Mr. Gagandeep Singh, Advocate, appearing for
Mr. Munish Kumar, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioner has prayed for the quashing of the FIR bearing No.107 dated 22.06.2022 registered at Police Station Women Cell, Ludhiana, under Section 498-A IPC, along-with all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise regarding their dispute, culminating in the registration of the said FIR.

2. Bereft 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, his wife, to cruelty.

3. Vide the order dated 01.06.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the trial Court/Area Magistrate on 12.07.2023 for recording their statements in respect of the afore-referred compromise and 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 is of the considered view that the compromise arrived at between the complainant and the accused is valid and genuine and that it has been affected by them voluntarily and without any undue influence or coercion and there is only one complainant, i.e respondent No.2 and one accused, i.e the petitioner, in the instant case. As per the statement of SI Meet Ram, the Investigating Officer, the petitioner has never been declared proclaimed offender nor any other criminal case is pending nor has been decided against him. The statements of the petitioner, respondent No.2 and the above-named Investigating Officer, have also been annexed with the afore-said report.

4. I have heard learned counsel appearing 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 thoroughly.

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 of the same, 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.107 registered at Police Station Women Cell, Ludhiana on 22.06.2022, under Section 498-A IPC as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

16.08.2023*seema*

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>