

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

CRM-M No.34653 of 2021

Date of Decision: 05.07.2023

Deepak Yadav & Ors.

...Petitioners

Versus

State of Haryana & Anr.

...Respondents

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

Present:- Mr. Saleem Ahmed, Advocate,
for the petitioners.

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

Mr. Sunil Kumar, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J. (ORAL)

The petitioners herein seek the quashing of the FIR bearing No.65 dated 17.06.2019 registered at Women Police Station Manesar, District Gurugram, under Sections 323, 34, 354, 406, 498-A, 506 and 509 IPC and all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise in respect of their dispute, culminating in the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled by respondent No.2-informant-complainant in the subject FIR, are that the petitioners subjected her to cruelty for demanding more dowry and due to the non-fulfilment of their said demand and they have also retained

the jewellery items as given to her by her family at time of her marriage and petitioner No.2 tried to outrage her modesty.

3. Vide the order dated 15.03.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the concerned Illaqa/ Duty Magistrate on 27.03.2023 for recording their statements in respect of the afore-said compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Gurugram recorded their (parties') statements and has submitted his report (as already available on the file), while mentioning therein that he was satisfied that the matter had been settled between the complainant and the accused, i.e the petitioners, voluntarily/amicably and without any pressure or coercion and the same appears to be genuine and besides the petitioners, no other person has been named as the accused in the said FIR and as stated by the Investigating Officer, there is no proclaimed offender in the case. The statements of the complainant and the Investigating officer named L/SI Sudesh and the joint statement of the petitioners have also been annexed with the said report. Learned counsel for the petitioners has submitted the copies of the judgment and decree dated 19.01.2022 as passed by learned Additional Principal Judge, Family Camp Court at Pataudi, qua the dissolution of the marriage between the complainant and petitioner No.1-Deepak Yadav, in the Court today and these documents have been placed on the file.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel 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. Moreover, the complainant and petitioner No.1 have already parted their ways, by way of the dissolution of their marriage vide the afore-referred judgment and decree passed on the basis of their mutual consent, as envisaged under Section 13-B of the Hindu Marriage Act, 1955. It being so, 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.65 dated 17.06.2019 as registered at Women Police Station Manesar, District Gurugram, under Sections 323, 34, 354, 406, 498-A, 506 and 509 IPC and all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

05th July, 2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No