

2023:PHHC:098536

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CRM-M No.34561 of 2022 (O&M)  
Date of Decision: 01.08.2023

Simrat Pal Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

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

Present:- Mr. Ripudaman Singh Brar, Advocate  
for the petitioners.

Mr. Aditya Kapoor, AAG, Punjab  
for respondent No.1.

Mr. Tanvir Joshi, Advocate  
for respondent No.2.

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**MEENAKSHI I. MEHTA, J. (Oral)**

**CRM No.24191 of 2023**

This application has been moved on behalf of the applicants-  
petitioners for seeking permission to place the copies of the judgment and  
decree passed by learned Principal Judge, Family Court, Sri Muktsar Sahib,  
on the record as Annexure P-3.

Heard.

Keeping in view the reasons as mentioned in the present  
application, the same is allowed and Annexure P-3 is taken on the record.

**CRM-M N0.34561 of 2022**

By way of the instant petition, the petitioners have prayed for  
the quashing of the FIR bearing No.171 dated 12.10.2019 registered at

Police Station Kotbhai, District Sri Muktsar Sahib, under Sections 498-A & 406 IPC as well as 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. Bereft of unnecessary details, the allegations, as levelled by respondent No.2-complainant in the subject FIR, are that the petitioners had subjected her to cruelty for bringing insufficient dowry and due to non-fulfilment of their demand for more dowry and they had also retained her '*Istridhan*' and other dowry articles.

3. Vide the order dated 05.08.2022 as passed by the Co-ordinate Bench, the parties were directed to appear before the Illaqa Magistrate/trial Court on 24.08.2022 for recording their statements in respect of the afore-said compromise. In compliance of this order, learned Judicial Magistrate 1st Class Gidderbaha recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that three persons, i.e the petitioners, have been arrayed as the accused in the above-mentioned FIR and she is satisfied that the complainant and the petitioners have affected the compromise amicably with their free consent and without any pressure, coercion or undue influence and the same appears to be genuine and voluntary and that as per the statement of the Investigating Officer, SI Bashir Singh (retired), none of the petitioners has been declared proclaimed offender nor is involved in any other criminal case. The copies of the joint statement of the petitioners and the separate statements of respondent No.2-complainant and the Investigating Officer,

have been annexed with the afore-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 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 the times to come and moreover, petitioner No.1-husband and respondent No.2-wife have already parted their ways, by way of the dissolution of their marriage vide the judgment and the decree Annexure P-3 passed on the basis of 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 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.171 dated 12.10.2019 as registered at Police Station Kotbhai, District Sri Muktsar Sahib, under Sections 498-A & 406 IPC as well as all other subsequent proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

01.08.2023

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(MEENAKSHI I. MEHTA)  
JUDGE

*Whether speaking/reasoned:* Yes

*Whether Reportable:* No