

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

**CRM-M No.33251 of 2023 (O&M)
Date of Decision: 03.11.2023**

Ravi Kumar and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Harsh Jain, Advocate, appearing for
 Mr. Inayat Khullar, Advocate
 for the petitioners.

Mr. Gurlal Singh Dhillon, AAG, Haryana
for respondent No.1-State.

Mr. Gaurav Sharma, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioners have prayed for the quashing of the FIR bearing No.91 dated 30.06.2023 as registered at Police Station Division No.2, Pathankot, under Sections 498-A & 506 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 subjected her to cruelty, mental as well as physical, over trivial matters.

3. Vide the order passed by this Court on 13.07.2023, the parties had been directed to appear before the Illaqa Magistrate/trial Court on 28.08.2023 for recording their statements in respect of the above-referred compromise and in compliance of this order, learned Judicial Magistrate 1st Class, Pathankot, recorded their (parties') statements and has submitted her Report (which is already available on the file), while mentioning therein that as per the statements of the parties, the compromise, arrived at between them, is genuine and voluntary and the same has been affected by them without any coercion or undue influence and that as per the statement of the Investigating Officer ASI Narinder Singh, only three persons, i.e the petitioners, have been arraigned as accused in the afore-said FIR and none of them has been declared proclaimed offender and there is only one victim /complainant, i.e respondent No.2 Namrata Sharma, in the criminal case under reference. Separate statements of the petitioners, respondent No.2 and the above-named Investigating Officer have also been annexed with the afore-mentioned Report.

4. I have heard learned counsel appearing 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-referred compromise has been affected to put the dispute between the parties at rest for all times to come and 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.

5. Keeping in view the afore-discussed facts and circumstances and also the observations made by Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and another (2012)4 RCR (Criminal) 543**, the FIR bearing No.91 dated 30.06.2023 registered at Police Station Division No.2, Pathankot, under Sections 498-A & 506 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.

November 03, 2023

Yag Dutt

(MEENAKSHI I. MEHTA)

JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No