

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

**CRM-M No.46898 of 2021
Date of Decision: 25.07.2023**

Dilbag Singh

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Jatinder Singh Gill, Advocate
 for the petitioner.

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

 Mr. Sehajpreet Singh Sandhu, Advocate, appearing for
 Mr. Vinay Kumar, Advocate
 for respondent No.2.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioner has prayed for the quashing of the FIR bearing No.15 dated 18.05.2018 registered at Police Station Sadar Pathankot, District Pathankot, under Sections 498-A and 406 IPC as well as all the consequential 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 petitioner had

subjected her to cruelty for bringing insufficient dowry and also on account of the non-fulfilment of his demand for more dowry.

3. Vide the order dated 29.11.2021 as passed by the Co-ordinate Bench, the parties were directed to appear before the Illaqa Magistrate/trial Court on 07.01.2022 for recording their statements in respect of the above-said compromise. In compliance of this order, learned Judicial Magistrate 1st Class, Pathankot, recorded their (parties') statements and has submitted his report (as already available on the file), while mentioning therein that he is satisfied that the parties have got their statements, regarding the compromise, recorded voluntarily and without undue influence or coercion and as per the statement of the Investigating Officer ASI Hem Raj, only one accused, i.e the petitioner, is involved in the FIR and he has not been declared a proclaimed person and is also not involved in any other case and except Prem Lata, i.e respondent No.2, there is no other victim/complainant in the present case. The statements of the complainant, the petitioner and the Investigating Officer, have been annexed with the said report.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2 in the instant petition and have also perused the file carefully.

5. The afore-referred compromise has been affected to put the dispute between the parties at rest for all times to come and 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 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.15 dated 18.05.2018 registered at Police Station Sadar Pathankot, District Pathankot, under Sections 498-A and 406 IPC as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

July 25, 2023
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

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