

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

**CRM-M No.50665 of 2021
Date of Decision: 03.10.2023**

Pankaj Arora

...Petitioner

Versus

State of Punjab & Anr.

...Respondents

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

Present:- Mr. Shubham Tandon, Advocate, appearing for
Ms. Dhivya Jerath, Advocate,
for the petitioner.

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

Mr. Gurjinder Singh, Advocate, appearing for
Mr. Rohit Aggarwal, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J.(ORAL)

The petitioner herein has sought the quashing of the FIR bearing No.98 dated 27.07.2020 as registered at Police Station Mukerian, District Hoshiarpur, under Section 498-A IPC and 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. Shorn and short of unnecessary details, the allegations, as levelled by respondent No.2-complainant against the petitioner in the subject FIR, are that he had subjected her to cruelty for bringing insufficient dowry and also for demanding more dowry and due to the non-fulfilment of his said demand.

3. Vide the order dated 18.04.2022 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Area Magistrate/trial Court on 18.05.2022 for recording their statements in respect of the afore-said compromise and in compliance of this order, learned Sub Divisional Judicial Magistrate, Mukerian, recorded their (parties') statements and has submitted his report (as already available on the file), while mentioning therein that in view of the statements of the parties, he is of the opinion that the compromise arrived at between them (parties) is genuine and it has been affected by them voluntarily and without any coercion or pressure and that as per the statement of the Investigating Officer named SI Dilbag Singh, there are only one accused, i.e the petitioner and one complainant/aggrieved person, respondent No.2, in this case and the petitioner has not been declared proclaimed offender nor any other criminal case is pending against him. Statements of the petitioner, respondent No.2 and the above-named SI, have been annexed with the said report.

4. I have heard learned counsel appearing for the petitioner as well as learned State counsel and learned counsel appearing for respondents No.2, in the present petition and have also perused the file thoroughly.

5. The afore-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 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.98 dated 27.07.2020 registered at Police Station Mukerian, District Hoshiarpur, under Section 498-A IPC and all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

03.10.2023
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(MEENAKSHI I. MEHTA)
JUDGE

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