

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

**CRM-M No. 50562 of 2022
Date of Decision: 09.10.2023**

Amanbir Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

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

Present:- Ms. Navjot Kaur, Advocate appearing for
 Mr. Avtar S. Khinda, Advocate
 for the petitioner.

Mr. Virat Rana, AAG, Punjab
for respondent No.1-State.

Mr. Harjinder Singh, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein has prayed for the quashing of the FIR bearing No.150 dated 31.08.2019 as registered at Police Station Bhogpur, District Jalandhar, under Section 498-A IPC as well as all the subsequent 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 levelled by respondent No.2-complainant/wife against the petitioner-husband in the subject FIR, are that he had been subjecting her to cruelty for bringing

insufficient dowry and also to demand more dowry and due to the non-fulfilment of his said demand.

3. Vide the order dated 06.12.2022 as passed by the Co-ordinate Bench, the parties were directed to appear before the Illaqa Magistrate/ trial Court on 11.01.2023 for recording their statements in respect of the aforementioned compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Jalandhar, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that in view of the statements of the parties, she was of the opinion that the compromise arrived at between them, is genuine and it has been affected by them voluntarily and without any coercion or undue influence and the FIR has been registered against the petitioner only and he has not been declared proclaimed offender and that as per the statement of ASI Narinder Singh, the Investigating Officer, the petitioner is not involved in any other case and there is one complainant/victim, i.e respondent No.2, in the criminal case under reference. Statements of the petitioner, respondent No.2 and the above-named Investigating Officer, have been annexed with the afore-said Report.

5. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondent No.2, in the instant petition and have also perused the file thoroughly.

5. The above-referred compromise has been affected to put the dispute between the parties at rest for all the times to come and as is explicit from Annexure P-4, the copies of the judgment and decree passed

by the Family Court, Jalandhar, on 26.07.2023, the petitioner-husband and respondent No.2-wife have already parted their ways by way of dissolution of their marriage 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 petitioner and in these circumstances, the continuation of the proceedings in the case arisen out of the subject FIR, would merely be an exercise in futility.

6. 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.150 dated 31.08.2019 as registered at Police Station Bhogpur, District Jalandhar, under Section 498-A IPC as well as all the subsequent proceedings arising therefrom (if any), are, hereby, quashed. The petition in hand stands allowed accordingly.

October 09, 2023
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*