

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

**CRM-M No.59813 of 2022
Date of Decision: 28.08.2023**

Yogesh Kumar Soni

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

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

Present:- Mr. Nonish Kumar, Advocate,
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana,
for respondent No.1-State.

Mr. Sunny Kumar, Advocate, appearing as
proxy counsel for Mr. Vijay Partap Singh, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J.(ORAL)

The petitioner herein has prayed for the quashing of the FIR bearing No.240 dated 05.04.2017 registered at Police Station Karnal Civil Lines, District Karnal, under Sections 120-B, 323, 406, 420 & 498-A read with Section 34 IPC as well as 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. 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 for demanding

more dowry and due to the non-fulfilment of his said demand and he had also cheated her.

3. Vide the order dated 21.12.2022 as passed by the Co-ordinate Bench, the parties had been directed to appear before the trial Court/Illaqa Magistrate on 18.01.2023 for recording their statements in respect of the afore-referred compromise and in compliance of this order, learned Judicial Magistrate Ist Class, Karnal recorded their (parties') statements and has submitted his report (as already available on the file), while mentioning therein that the compromise arrived at between respondent No.2 and the petitioner is genuine and voluntary and the same has been affected without any threat, pressure, undue influence or fraud and as per the statement of SI Dharampal, the said FIR had been registered against the petitioner only and no other FIR was registered against him nor he was declared proclaimed offender. Copies of the statements of respondent No.2, the petitioner and the afore-name SI have been annexed with the said report. Learned counsel for the petitioner has also submitted the copies of the judgment and decree, passed by the Family Court, Karnal on 20.07.2023, qua the dissolution of the marriage between the petitioner and respondent No.2, in the Court today and these documents have been placed on the file.

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

6. The above-mentioned compromise has been affected to put the dispute between the parties at rest for all the times to come. Moreover, the

petitioner and respondent No.2 have already parted their ways by way of the dissolution of their marriage vide the afore-said judgment and decree dated 20.07.2023, passed 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 such circumstances, the continuation of the proceedings in the case arisen out of the subject FIR, would be an exercise in futility.

7. 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.240 dated 05.04.2017 as registered at Police Station Karnal Civil Lines, District Karnal, under Sections 120-B, 323, 406, 420 & 498-A read with Section 34 IPC and all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

28.08.2023

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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No