

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-18236 of 2014 (O&M)
Date of decision:06.04.2015

Chiranji Lal Petitioner

Versus

Gopal Krishan and another Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Ranjit Saini, Advocate for the petitioner.

Mr. Ranjit Sharma, Advocate for the respondents.

Navita Singh, J. (Oral)

The petitioner had wanted to withdraw the complaint filed against respondent No.1 who was summoned for the offences under Sections 354 and 493 IPC. Since the offences were non-compoundable, withdrawal of the complaint was not permitted by the trial Court and the request was rejected.

The another factor was that present respondent No.1- Gopal Krishan who was one of the accused had been declared proclaimed offender. Counsel for the petitioner submitted that the petitioner wants to marry his daughter and she does not want to appear as witness in the case because of the offence under Section 354 IPC in order to avoid the disclosure of the allegations in the complaint and in her statement to her prospective husband.

In view of the peculiar facts of the case, where, the marriage of the daughter of the complainant can be in jeopardy because of the pendency of the complaint, the request appears to be genuine. The impugned order

is, therefore, set aside and the complainant is allowed to withdraw the complaint.

Petition is allowed accordingly.

06.04.2015
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(NAVITA SINGH)
JUDGE