

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

CRM-M-36215 of 2013

Date of Decision: 03.03.2015

Chetan Arora

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Malkeet Singh, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

Ms. Deepa Jain, Advocate
for respondent No.2.

SNEH PRASHAR, J.

As reflected in order dated 16.12.2014 in compliance of order dated 09.05.2014 passed by this Court, the report of Chief Judicial Magistrate, Jalandhar had been received, wherein it was stated that Misha Kwatra @ Romeli Chawla-complainant did not appear and in her place her father Tilak Raj Chawla had appeared and gave an undertaking to produce his daughter before the said Court but thereafter neither Tilak Raj Chawla nor his daughter appeared.

Today, Tilak Raj Chawla has appeared before this Court and has filed an affidavit seeking pardon for his non-appearance before the Chief Judicial Magistrate, Jalandhar. In his affidavit, he has mentioned that his daughter Misha Kwatra @ Romeli Chawla has already been married, after dissolution of her marriage with Rajesh Kwatra-brother of the petitioner by decree of divorce under Section 13-B of the Hindu Marriage Act. He has also stated that his daughter Misha Kwatra @Romeli Chawla had settled all

the claims emanating from matrimonial dispute with the petitioner and his family members and the compromise arrived between them was voluntarily . Acknowledging the compromise his daughter Misha Kwatra @Romeli Chawla suffered a statement dated 17.04.2012 and had given her no objection for quashing of the first information report No.90 dated 15.06.2009 registered under Sections 406, 498-A and 323 of the Indian Penal Code on her complaint.

In pursuance of compromise, the first information report dated 15.06.2009 against all accused except the petitioner, including Rajesh Kwatra, (brother of the petitioner) had already been quashed vide order dated 15.05.2012 passed by this Court but the said FIR against the petitioner was not quashed because at that time he was in abroad and had been declared proclaimed offender . The petitioner has since returned and in compliance of this Court order dated 30.10.2013 had surrendered before the trial Court and was released on bail. The lady Romeli Chawla is stated to be out of country being in Spain and the written undertaking sent by her in the name of her father has been produced on the file. In her certificate she had stated that she had resolved all matrimonial dispute with her husband and in-laws. There remains no issue left and for that reason she does not want to pursue the criminal proceedings against petitioner-Chetan Arora.

In view of the affidavit of Tilak Raj Chawla father of the complainant-Misha Kwatra @ Romeli Chawla and the undertaking sent by her, the first information report and all the subsequent proceedings thereto as against Chetan Arora is quashed.

March 03, 2015
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(SNEH PRASHAR)
JUDGE