

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-1310 of 2016

Date of decision : 04.02.2016

Lakhbir Singh

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. N.K. Vadehra, Advocate for the petitioner

Mr. Deep Singh, AAG Punjab

ANITA CHAUDHRY, J. (ORAL)

This is a petition for quashing FIR No. 30 dated 24.05.2012 registered at Police Station Sadar Pathankot, District Gurdaspur under Section 174-A IPC.

Learned counsel for the petitioner contends that the FIR No. 54 dated 20.04.2011 was registered under Sections 498-A, 406, 506 and 34 IPC in which compromise was effected and the FIR and the subsequent proceedings including the order vide which the petitioner had been declared proclaimed offender was quashed. He further states that petitioner was not aware that the FIR was registered subsequently and for all purposes FIR No. 54 dated 20.04.2011 and consequent proceedings arising out of the same have been quashed and this FIR also deserves to be quashed as the main dispute had been resolved. It is stated that the petitioner was abroad much prior to the registration of the FIR.

The main FIR No. 54 dated 20.04.2011 which was registered at the instance of the wife had been quashed as compromise had been effected. The petitioner was abroad but was declared proclaimed offender. The petitioner approached this Court for quashing the FIR on the basis of compromise and vide Annexure P-2 FIR No. 54 dated 20.04.2011 registered under Sections 498-A, 406, 506 and 34 IPC was quashed. The petitioner had been earlier allowed to appear before the trial Court and interim bail was allowed vide order dated 17.11.2015.

Vide Annexure P-2 the order dated 10.04.2012 had already been quashed, therefore, the present FIR No. 30 dated 24.05.2012 registered at Police

Station Sadar Pathankot, District Gurdaspur under Section 174-A IPC could not survive and is quashed.

February 04, 2016

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**(ANITA CHAUDHRY)
JUDGE**