

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21785-2016

Date of Decision:- 25.07.2016

Charanjeet Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Lakhwinder Singh Mann, Advocate, for the petitioner.

Mr. Jatinder Singh Riar, Asstt. Advocate General, Punjab.

Mr. Amjad Khan, Advocate, for respondent No.2.

RITU BAHRI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.170 dated 24.07.2008 (Annexure P-1) under Sections 494 and 420 read with Section 120-B IPC, registered at Police Station Shahkot, District Jalandhar and order dated 02.07.2010 (Annexure P-5) vide which he was declared proclaimed offender, on the basis of compromise deed dated 16.06.2016 (Annexure P-2).

Brief of the facts of the case are that husband of complainant has solemnized second marriage with one women, namely, Billo, during the subsistence of first marriage. In that marriage, the accused persons were present in the marriage and they were also known to each other and were aware about the factum of marriage of complainant with petitioner Charanjit Singh. Hence, the present FIR has been lodged by the complainant against the accused persons.

Learned counsel for the petitioner submits that now with the intervention of the respectables of society and area, both the parties have compromised the matter, vide compromise deed dated 16.06.2016

(Annexure P-2) and respondent No.2 has no objection, if the present FIR, is quashed.

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed dated 16.06.2016 (Annexure P-2), by means of order dated 24.06.2016, by this Court.

In compliance of order dated 24.06.2016 of this Court, the report of Judicial Magistrate 1st Class, Nakodar dated 11.07.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.170 dated 24.07.2008 (Annexure P-1) under Sections 494 and 420 read with Section 120-B IPC, registered at Police Station Shahkot, District Jalandhar and order dated 02.07.2010 (Annexure P-5), vide which, the petitioner was declared proclaimed offender and all the subsequent proceedings arising therefrom, are hereby quashed qua petitioner only.

The present petition stands disposed of.

July 25, 2016
naresh.k

(RITU BAHRI)
JUDGE