

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

**CRM No. M-35446 of 2015
Date of decision: 27.10.2016**

Sukhpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amit Dhawan, Advocate,
for the petitioner.

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J.

Petitioner is seeking quashing of the order dated 02.04.2012 (Annexure P-3), whereby he has been declared as proclaimed offender in Criminal Complaint No.193/1/2010 (313/1/2013) dated 01.11.2010, titled as Sukhwinder Kaur Vs. Sukhpreet Singh and others, under Sections 406/498-A IPC (Annexure P-1).

Learned counsel for the petitioner has placed on record certified copy of the statement dated 17.12.2014 made by complainant-Sukhwinder Kaur before the Judicial Magistrate Ist Class, Jalandhar, stating that she has entered into a compromise with the accused and has no objection, if the proceedings against the accused are dropped. Thereafter, vide order dated 22.12.2014 passed by the Judicial Magistrate Ist Class, Jalandhar, complaint (Annexure P-1) filed by complainant-Sukhwinder Kaur was ordered to be dismissed as withdrawn. Vide judgment dated 15.05.2015 passed by the Additional District Judge, Jalandhar, a petition

under Section 13 of the Hindu Marriage Act was allowed and the marriage of Sukhwinder Kaur with Sukhpreet Singh (petitioner) was dissolved by a decree of divorce.

Once, Criminal Complaint No.193/1/2010 (313/1/2013) dated 01.11.2010, titled as Sukhwinder Kaur Vs. Sukhpreet Singh and others, (Annexure P-1) in itself has been dismissed as withdrawn vide order dated 22.12.2014, the impugned order (Annexure P-3) declaring the petitioner as proclaimed offender is liable to be set aside.

Resultantly, this petition is allowed and the impugned order dated 02.04.2012 (Annexure P-3) is set aside.

27.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No