

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

(234-3)

CRM-M-28909-2017

Decided on: September 15, 2017.

Manmeet Singh Kakkar

.... Petitioner

Versus

State of Punjab and another

..... Respondents

(2)

CRM-M-7353-2016

Decided on: September 15, 2017.

Gurbachan Singh Kakkar and another

.... Petitioner

Versus

State of Punjab and another

..... Respondents

(3)

CRM-M-33047-2013

Decided on: September 15, 2017.

Ashmeet Kaur

.... Petitioner

Versus

State of Punjab and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

**Present: Mr. Anmol Rattan Sidhu, Sr. Advocate, with
Mr. I.P.S. Kohli, Advocate,
for the petitioners in all three petitions.**

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

**Mr. Ajay Pal Singh, Advocate,
for respondent No.2-complainant.**

M.M.S. BEDI, J (ORAL)

This order will dispose of three petitions i.e. CRM-M-28909-2017 titled Manmeet Singh Kakkar Vs. State of Punjab and another; CRM-M-7353-2016 titled Gurbachan Singh Kakkar and another Vs. State of Punjab and another besides CRM-M-33047-2013 titled Ashmeet Kaur Vs. State of Punjab and another, for quashing of the proceedings which were initiated on the

complaint of respondent No.2 Harleen Kaur against the petitioners as these petitions arise out of the same FIR. The order declaring petitioner Manmeet Singh Kakkar as proclaimed offender on 25.04.2014 has also been challenged in CRM-M-28909-2017.

These three petitions along with another petition under Section 482 Cr.P.C have been fixed for hearing before this Bench as a connected matrimonial appeal FAO-M-154-2017 was fixed for hearing before this Bench.

Respondent No.2 Harleen Kaur, wife, present in the Court, submits that in view of her marriage with petitioner Manmeet Singh Kakkar having been dissolved by a decree of divorce which has been confirmed in FAO-M-154-2017 decided today, she does not want to pursue the criminal proceedings against the petitioners either under the Protection of Women from Domestic Violence Act or the matrimonial cruelty and that she has got no objection, in case the proceedings in FIR No.19 dated 04.02.2013 registered at Police Station City Rupnagar under Sections 406/498-A IPC at her instance, are quashed on the basis of compromise. She has received the entire sum of permanent alimony settled between the husband and wife and has got no claim regarding any dowry article against any of the petitioners as alleged in the above said FIR. She also states that she has no objection in case order of declaring her husband as proclaimed offender is set aside.

We have considered the facts and circumstances of the case and are of the opinion that on account of the statement made in the Court by complainant-respondent No.2 today and on account of her marriage having already been dissolved, no useful purpose will be served by keeping the criminal proceedings pending following the judgment in **B.S. Joshi and others Vs. State of Haryana and another, 2003 (2) R.C.R. (Criminal) 888.**

In view of statement made by respondent No.2 which has been

mentioned hereinabove, the criminal proceedings arising out of the aforesaid FIR qua Manmeet Singh Kakkar, Gurbachan Singh Kakkar, Shabnamjeet Kaur and Ashmeet Kaur, petitioners in the abovesaid three petitions, can be quashed on the basis of compromise and final settlement having been arrived at between the parties qua the matrimonial dispute.

All the controversies having been settled, the complainant has raised an apprehension that few complaints in different departments have been filed by Gurbachan Singh Kakkar against family members of the complainant. Statement has been made by Gurbachan Singh Kakkar in the Court today to the effect that he has not filed any complaint against Harleen Kaur, Inderpal Singh and Jasmeet Kaur and in case any such complaint is there in his name, it may be deemed to have been withdrawn.

It is not out of place to observe here that the present matter having arisen out of the matrimonial controversy, the proceedings have been quashed on the basis of statement of the complainant-wife. This order is not meant to be read as precedent regarding quashing of proceedings qua a proclaimed offender in criminal cases in general.

All the three petitions are disposed of. The aforesaid FIR and all the criminal proceedings emanating therefrom including order dated 25.04.2014 declaring petition Manmeet Singh Kakkar a proclaimed offender, are hereby quashed on the basis of compromise.

(M.M.S. BEDI)
JUDGE

September 15, 2017.
harsha

(AUGUSTINE GEORGE MASIH)
JUDGE

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