

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

**Crl. Misc. No. M-31261 of 2015 (O&M)
Date of Decision: 09.07.2018**

**Parvinder Singh Sodhi Petitioner
Vs.
State of Punjab and another Respondents**

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Charan Pal Singh, Advocate for the petitioner.

 Mr. Hittan Nehra, Addl. AG, Punjab.

 Mr. S.S. Narula, Advocate for respondent No.2.

Rajbir Sehrawat, J.(Oral)

CRM No.22911 of 2018

 This is an application for placing on record affidavit of respondent No.2.

 Application is allowed. Affidavit is taken on record.

Crl. Misc. No. M-31261 of 2015

 The present petition has been filed for quashing of FIR No.13 dated 06.12.2014 under Sections 420 and 406 IPC, registered at Police Station NRI, Amritsar and the consequential proceedings, including the order dated 14.07.2015 (Annexure P.12); whereby the petitioner was declared to be a proclaimed person.

 Facts placed on file show that the petitioner is a citizen of United Kingdom. The complainant – respondent No.2 was married to him. After marriage, they remained together for about seven years in United Kingdom and a child was also born out of the wedlock. However, it appears that the parties part fell apart; leading to the dispute between the couple.

 The allegation in the FIR basically are that the petitioner had

not got the passport of the complainant renewed so as to ensure that she could stay in United Kingdom and that he had also not arranged for citizenship of United Kingdom for the complainant. Still further, the allegations regarding the misappropriation of 'Istridhan' are also involved. Therefore, by any means, it is a dispute arising from the matrimonial aspect of the life of the couple.

During the pendency of the present petition, the parties have arrived at a compromise and they have amicably settled the entire dispute. The compromise arrived at between the parties is attached as Annexure A.1 with Crl. Misc. No. M-20471 of 2018. Still further, it is pointed out by the counsels that the parties parted their ways by obtaining a formal decree of divorce from the competent Court as well. Therefore, there is no chance of the parties living together under the same matrimonial arrangement.

On the previous date, counsel for the complainant had sought time to file a specific affidavit as to whether the complainant still intends to pursue the matter involved in the FIR in question. Today, the affidavit of complainant has been placed on record by way of CRM No.22911 of 2018. A perusal of this affidavit shows that the complainant, who is present in Court today and has been duly identified by her counsel, has sworn in affidavit as under:-

“2. That during the pendency of the above mentioned petition, petitioner and deponent/respondent no.2 have settled all their disputes and entered into a compromise deed copy whereof has been placed on record as Annexure A-1.

3. That in view of the compromise entered between the petitioner and deponent/ respondent no.2, the deponent does not wish to pursue FIR No.13 dated 06.12.2014 under Sections 406 & 420 IPC Police Station NRI, Amritsar (Punjab) and has no objection if the above said FIR No.13 dated 06.12.2014 under Sections 406 & 420 IPC Police Station NRI, Amritsar (Punjab) is quashed along with all subsequent proceedings arising therefrom including order dated 14.07.2015 (Annexure P-12) whereby petitioner has been declared proclaimed person under Section 82 of Cr.P.C, as the matter has been amicably settled between the parties.”

In view of the above, since the dispute involved in the FIR is essentially arising from the matrimonial dispute between the parties and the same has amicably been settled through mutually agreed terms, therefore, no purpose would be served by keeping the matter alive anymore.

In view of the above, the present petition is allowed. The afore-stated FIR No.13 dated 06.12.2014 under Sections 420 and 406 IPC, registered at Police Station NRI, Amritsar and the adverse consequential proceedings, including the order dated 14.07.2015 (Annexure P.12); whereby the petitioner was declared to be a proclaimed person; are ordered to be quashed.

July 09, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No