

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-45873-2019(O&M)

Date of Decision: 19.12.2019

Gurinder Singh

.....Petitioner

Versus

State of U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Dr. Payel Mehta, Advocate,
for the petitioner.

Mr. Lalit K. Gupta, APP, for U.T., Chandigarh.

Mr. Jasbir Singh, Advocate,
for the complainant-respondent No.2.

HARI PAL VERMA, J.(Oral)

CRM-35927-2019

Prayer in this application filed under Section 482 Cr.P.C. is for placing on record photocopy of the passport of the applicant-petitioner.

Application is allowed, as prayed for and photocopy of the passport of the applicant-petitioner is permitted to be taken on record.

CRM-M-45873-2019

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of order dated 19.03.2019 passed by learned Judicial Magistrate 1st Class, Chandigarh (Annexure P-1) in FIR No.113 dated 27.11.2017 under Sections 406, 498-A IPC, registered at Women Police Station, Sector-17,

Chandigarh, whereby the petitioner has been declared as proclaimed offender.

Learned counsel for the petitioner while making reference to the photocopy of the passport and entry made at page 7 of the application submits that on the date i.e. 19.03.2019, when the petitioner was declared as proclaimed offender, he was not in India and he has entered Dubai on 16.02.2019 from Europe and therefore, he stayed in Dubai only. In this manner, PO proceedings were initiated at his back. She states that even otherwise, it being a matrimonial dispute between the parties, they have compromised the matter for which a separate petition i.e. **CRM-M-45882-2019 (Gurinder Singh Versus State of U.T. Chandigarh and another)** has been filed.

Learned State Counsel appearing on behalf of U.T., Chandigarh, does not dispute the fact that the matter has been compromised between the parties.

Since prayer in this petition is for quashing of order dated 19.03.2019 passed by learned Judicial Magistrate 1st Class, Chandigarh, whereby the petitioner has been declared as proclaimed offender, as the matter has been compromised between the parties and thereafter, now the petitioner has shown his inclination to appear before the trial Court to join the proceedings in accordance with law, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court, so as to join the proceedings in the pending FIR, he shall be admitted on bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court. However, that would be subject to payment of costs of ₹10,000/- to be deposited with the High Court Bar Association.

Since it is a matrimonial dispute between the parties and they have resolved the matter by way of amicable settlement, petitioner shall not be arrested from the airport in the case.

December 19, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No