

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I) **CRM-M-28789-2020 (O&M)**
Date of Decision:- 1.12.2020

Gurjit Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

(II) **CRM-M-28247-2020 (O&M)**

Gurjit Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.S.Rangi, Advocate, for the petitioner(s).

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Raman, Advocate for respondent No.2.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of petitioner Gurjit Singh i.e. CRM-M-28247-2020, wherein order dated 21.1.2016 declaring the petitioner as 'Proclaimed Offender' has been challenged as well as CRM-M-28789-2020 wherein quashing of FIR No.25, dated 2.5.2015, Police Station Women, Patiala, under Sections 498-A and 406 IPC, has been sought on the ground that the matter has since been compromised amongst the parties.
2. Pursuant to interim directions issued by this Court, the statement of Sh. Nirmal Singh, Special Power of Attorney of accused Gurjit Singh and also the statement of complainant Lovely has been recorded wherein the complainant Lovely specifically stated that the matter has since been compromised amongst the parties with the intervention of respectables and that she does not wish to proceed with the FIR and has no objection if the same is quashed.
3. The report of learned Judicial Magistrate 1st Class, Patiala, is specific to the effect that the compromise amongst the parties appears to be genuine and has been effected without any pressure, coercion or any undue influence.
4. The learned counsel for the petitioner has submitted that in fact the parties have also got their marriage dissolved by way of getting a divorce by mutual consent vide judgment and decree dated 12.11.2020.

5. The aforestated position is not disputed by Sh. Raman, Advocate, who is appearing on behalf of the complainant.
6. In view of the aforestated position, wherein this Court finds that the FIR was infact an outcome of matrimonial discord which has been resolved amongst the parties amicably and infact they have also parted ways by getting a divorce by mutual consent, continuation of the instant FIR would not serve any useful purpose. The petition i.e. CRM-M-28789-2020, as such, is accepted and the FIR No.25, dated 2.5.2015, Police Station Women, Patiala, under Sections 498-A and 406 IPC is hereby quashed qua the petitioner.
7. Similarly, since even the order declaring the petitioner as 'Proclaimed Offender' came to be passed in the matter arising out of the FIR, which was basically an outcome of matrimonial discord which stands resolved, a lenient approach can be adopted in the matters of such impugned orders passed in cases of matrimonial disputes as no useful purpose would be served by further forcing either of the parties to face any kind of action or prosecution. Rather efforts should be made to enable them to move ahead in their lives in case they have chosen to settle their dispute amicably. Thus, while taking a lenient view the petition i.e. CRM-M-28247-2020 is also accepted in the given circumstances and the order dated 21.1.2016 declaring the petitioner as 'Proclaimed Offender' is hereby quashed.
8. The aforesaid order i.e. setting aside the order declaring the petitioner as 'Proclaimed Offender' is however, subject to the condition that the petitioner shall deposit an amount of ₹1 lakh as costs with High

Court Legal Services Authority, Chandigarh, within a period of one month from today.

December 1, 2020
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(GURVINDER SINGH GILL)
JUDGE

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