

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

CRM-M-14713-2021

Date of decision: 28.10.2021

Baljit Kumar @ Soni

.....Petitioner.

vs.

Rekha @ Shangna and another

.....Respondents.

CORAM: - HON'BLE MR JUSTICE RAJESH BHARDWAJ

Present: - Mr. Ravi Malhotra, Advocate, for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Present petition is preferred under Section 482 Cr. P.C for quashing of (Annexure P-1) Complaint No. COMI-31928 of 2013 under Sections 406/498-A/506/148/149 IPC dated 18.10.2012 which was decided on 01.12.2018 by learned Judicial Magistrate Ist class, Jalandhar, and summoning order dated 16.09.2015 (Annexure P-2) passed by learned Judicial Magistrate Ist Class, Jalandhar along with the order dated 20.11.2018 (Annexure P-5) passed by learned Judicial Magistrate Ist Class, Jalandhar, vide which the petitioner was declared proclaimed person. The matter has been stated to be compromised.

Learned counsel for the petitioner has submitted that the complaint in question was filed on 18.10.2012 and thereafter the petitioner was declared a proclaimed person by

the Court below vide its order dated 20.11.2018. He submits that efforts for compromise were already going on and due to the same the petitioner did not appear before the Court. He was declared proclaimed person. He submits that the co-accused i.e., the parents, brothers and sisters were duly tried and they have been acquitted by the learned Judicial Magistrate Ist Class, vide order dated 01.12.2018. He further submits that the marriage in question is already dissolved under Section 13-B of the Hindu Marriage Act vide decree dated 18.07.2019.

After arguing for some time, learned counsel for the petitioner submits that the petitioner is ready to appear before the Court concerned if he is granted the protection from arrest.

After hearing the learned counsel for the petitioner, this Court finds it appropriate to dispose of the petition with liberty to the petitioner to approach the Court concerned. In case the petitioner appears before the Court concerned within 07 days from today, then he would have protection from the arrest of 07 days from the date of appearance before the Court.

The petitioner would file an appropriate application before the Court concerned who will deal with the same as in accordance with law.

Disposed of.

(RAJESHBHARDWAJ)
JUDGE

28.10.2021

preeti
whether speaking/non speaking
whether reportable/non reportable

yes/no
yes/no