

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226

CRM-M-6576-2020

Date of Decision :09.02.2022

Inderpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Ranghi, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Mandeep Singh Sachdev, Advocate for respondent No.2.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed for quashing of impugned order dated 30.03.2018 passed by the Judicial Magistrate First Class, Hoshiarpur in DDR No.47 dated 01.01.2009 registered under Section 182 of the IPC at Police Station Sadar Hoshiapur.

Learned counsel for the petitioner submits that there was a matrimonial dispute between the petitioner and the daughter of the respondent No.2 and now the parties have compromised their dispute, according to which, all the proceedings initiated keeping in view the dispute between the parties, were to be withdrawn, which also included the present

DDR as well. Learned counsel for the petitioner further submits that all other proceedings have already been withdrawn, keeping in view the compromise effected between the parties and on the basis of the said compromise, the impugned order passed in the DDR in question may kindly be quashed as no fruitful purpose will be achieved in keeping the said DDR alive.

Learned counsel appearing for respondent No.2 concedes the factum that the parties had already compromised their dispute, copy of which has been appended as Annexure P/3 with the present petition and according to the same, all the proceedings pending between the parties were to be resolved in the manner prescribed therein and the DDR in question also required to be quashed.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The petitioner was declared a proclaimed offender vide impugned order dated 30.03.2019. Learned counsel for the petitioner has contended before this Court that the proper procedure as envisaged under law for declaring the petitioner as proclaimed offender has not been followed.

Parties have already compromised their dispute and keeping the proceedings under Section 182 of the IPC alive especially, when the parties have already compromised their dispute will bear no fruitful purpose. Further, the factum that petitioner was intentionally evading law at the time of passing of impugned order or he was not served as required under the provisions of Cr.P.C, is yet to be proved. The present DDR was recorded

when matrimonial dispute was in existence between the parties and now they have already resolved their dispute by mutual settlement and are living separately. Hence, no fruitful purpose will be achieved in continuing these proceedings.

Keeping in view the above, prayer of the petitioner is accepted. Impugned order dated 30.03.2018 passed by the Judicial Magistrate First Class, Hoshiarpur in DDR No.47 dated 01.01.2009 registered under Section 182 of the IPC at Police Station Sadar Hoshiapur is quashed.

February 09, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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