

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

137+201

[CRM-7360-2023](#) in/and
CRM-M-29777-2017
Date of Decision : 03.03.2023

Jagdish Parshad and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Deepak Verma, Advocate
for the petitioners.

Mr.Shiva Khurmi, Asstt. A.G., Punjab.

Mr. Varun Jain, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

[CRM-7360-2023](#)

Prayer in this application is for placing on record the
Annexures P-12 and P-13.

Allowed as prayed for and the Annexures P-12 and P-13 are
taken on record subject to all just exceptions.

Registry is directed to tag the same at an appropriate place.

CRM-M-29777-2017

The petitioners through instant petition, on the basis of
compromise, are seeking quashing of FIR No.113 dated 01.07.2014
registered at Police Station City Sunam, District Sangrur, under Sections
406 and 498-A IPC.

Learned counsel for the petitioners *inter alia* contends that the impugned FIR qua husband and mother-in-law of the complainant stands quashed vide order dated 20.09.2016 passed by a Co-ordinate Bench of this Court in CRM-M-26882-2014. He further submits that decree of divorce stands passed in Canada and all the petitioners are staying in Canada. The police multiple times conducted investigation and found the petitioners innocent.

On the last date, learned counsel for the private respondent raised an objection that son of petitioner No.1 is not making payment towards maintenance as awarded by Court in India.

Learned counsel for the petitioner sought time to verify the factum of order granting maintenance by any Court in India and status of payment. Learned counsel has placed on record documents indicating that no maintenance is outstanding against the petitioners.

On being confronted with the documents placed on record by learned counsel for the petitioners, learned counsel for private respondent submits that it is factually correct that the petitioner has cleared all outstanding dues and nothing on account of maintenance is outstanding against the petitioners.

Learned counsel for the petitioners undertakes to continue to pay maintenance Rs.7,000/- per month as awarded by the Competent Court in India. The private respondent shall furnish bank details to Executing Court so that son of petitioner No.1 may deposit maintenance on monthly basis in the account itself.

Learned State counsel on instructions from HC Jagdeep Singh submits that twice police has already filed cancellation report i.e. on

29.11.2018 and 05.05.2022, however, the trial Court has returned the file for further investigation. The police has conducted further investigation and found no incriminating evidence against the petitioner.

In the backdrop of statement of learned State counsel as well as counsel for the private respondent; the factum of decree of divorce passed by the Court at Cananda; order dated 20.09.2016 passed by this Court in CRM-M-26882-2014 whereby FIR qua husband and mother-in-law of the complainant stands quashed; this Court finds that the present petition deserves to be allowed and accordingly allowed.

FIR No.113 dated 01.07.2014 registered at Police Station City Sunam, District Sangrur, under Sections 406 and 498-A IPC and all other consequential proceedings arising therefrom are quashed qua the petitioner(s).

(JAGMOHAN BANSAL)
JUDGE

03.03.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>