



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

275

CRM-M-15155-2024 (O&M)

Date of Decision: 11.07.2024

Dilshad Ahmed

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Sahil Vashisth, Advocate for the petitioner
(through Video Conferencing).

Ms. Rishu Madan, AAG, Punjab.

Mr. Tarunjeet Singh, Advocate for respondent No. 2.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 76 dated 17.12.2020 (Annexure P-1) registered under Sections 406 and 498-A IPC at Police Station Women, Ludhiana and all consequential proceedings arising therefrom, on the basis of compromise dated 07.03.2024 (Annexure P-2), entered into between the parties.

On the last date of hearing i.e. 22.03.2024, following order has been passed by this Court:-

“Prayer in this petition is for quashing of FIR No.76 dated 17.12.2024 (Annexure P-1), under Sections 406 and 498-A IPC, registered at Police Station Women, Ludhiana



and all consequential proceedings arising therefrom on the basis of compromise dated 07.3.2024 (Annexure P-2) effected between the parties.

Learned counsel for the petitioner, inter alia, submits that the present FIR emanates from the matrimonial dispute between the parties. It is submitted that petitioner is the husband of the complainant/respondent No.2 herein. Marriage of the petitioner with complainant/respondent No.2 was solemnized on 06.4.2009 and two children were born out of the said wedlock. Due to temperamental differences, the parties could not cohabit together and started residing separately. Now better sense has prevailed between the parties and in order to live peacefully, parties have entered into compromise dated 07.3.2024 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question. Further, it is submitted that the petitioner is the only accused in the FIR against whom the challan has also been presented. It is further submitted that the petitioner has never been declared as proclaimed offender.

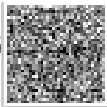
Notice of motion.

On the asking of Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of respondent No.1-State; whereas Mr. Tarunjeet Singh, Advocate, who is present in Court accepts notice on behalf of respondent No.2 and submits Vakalatnama, which is taken on record.

Learned counsel for the State on instructions from ASI Roop Singh Bhangu informs that the petitioner has absented himself from the proceedings before the learned trial Court since 29.9.2023.

*Learned counsel for the petitioner undertakes that the petitioner shall present himself before the learned trial Court on the next date of hearing i.e. 28.3.2024.
Adjourned to 11.7.2024.”*

On instructions from ASI Dilbagh Singh, learned counsel for the State has informed that in non-compliance of the previous order reproduced above, the petitioner has not presented himself before the learned trial Court, as such non-bailable warrants have been issued against the petitioner by the learned trial Court vide order dated 04.06.2024. A copy of order dated 04.06.2024, filed by learned counsel for the State in Court, is taken on record as ‘Mark-A’, as per which now



the next date of hearing before the learned trial Court is 20.07.2024.

Learned counsel for the petitioner has not disputed the aforesaid submissions of learned counsel for the State.

In view of the above, no ground is made out to entertain this petition for quashing of impugned FIR (Annexure P-1). Accordingly, the instant petition is **dismissed**.

11.07.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**