



HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

234

CRM-M-25286-2020 (O&M)
Date of decision:28.08.2024

Sumit Kaushik

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. H.N.Sahu, Advocate for the petitioner.

Ms. Deepshikha Chauhan, Assistant Advocate General,
Haryana, for respondents No.1 to 4.

Mr. Jagmohan Ghumman, Advocate
for respondent No.2.

NIDHI GUPTA, J. (Oral)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of impugned order dated 26.05.2007 (Annexure P-13) whereby the petitioner has been declared proclaimed offender by the learned Chief Judicial Magistrate, Gurgaon and for quashing of FIR No. 386 dated 17.05.2006 (Annexure P-1) under Sections 363, 366 IPC registered at Police Station City Gurgaon, District Gurgaon and all subsequent proceedings arising out of the said FIR.

Learned counsel for the petitioner submits that the petitioner was in consensual relationship with the sister of complainant/respondent No.2 herein. Upon attaining majority, the petitioner and the sister of the complainant, namely, Permila have solemnized marriage on 16.05.2006 and also have 3 children from their wedlock. It is submitted that the



complainant/respondent No.2/brother of Permila was against the present alliance and, accordingly, present FIR was registered against the petitioner.

Learned counsel for the petitioner further submits that after marriage, the petitioner had shifted to Ludhiana as a result of which impugned order dated 26.05.2007 (Annexure P-13) declaring the petitioner as proclaimed offender came to be passed. Learned counsel for the petitioner further submits that the petitioner is willing to surrender before the learned trial Court.

Learned counsel for the complainant/respondent No.2 has no objection if the present FIR is quashed.

Learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to file quashing petition on the basis of compromise, as also for setting aside order dated 26.05.2007 declaring the petitioner as proclaimed offender.

Dismissed as withdrawn, with liberty aforesaid.

Pending application, if any, stands disposed of.

28.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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