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CRM-M-32858-2023 (O&M)

334-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32858-2023 (O&M)

Date of Decision: 21.08.2024

Rajiv Sharma

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Mr. Yuvraj Singh Tiwana, Asstt. A.G., Punjab.

Mr. Randhir Singh, Advocate for
Mr. Deepak Malhotra, Advocate for respondent No.2.

...

SUMEET GOEL, J. (Oral)

1. On 08.07.2024, the following order was passed:

“Learned counsel for the petitioner, inter alia has argued that the petitioner was not in India on the relevant dates when the petitioner was declared as a proclaimed offender; the mandatory procedure required to be declared the petitioner as a proclaimed offender has not been scrupulously followed in the instant case & the petitioner as also the complainant-wife has entered into an amicable settlement (copy whereof has been annexed as Annexure P-4) qua the FIR in question which essentially arises out of a matrimonial discord.

Notice of motion.

At the asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice for respondent No. 1-State of Punjab.

Mr. Randhir Singh, Advocate appearing for Mr. Deepak Malhotra, Advocate has entered appearance on behalf of respondent No. 2.

Learned counsel for respondent No. 2 has ratified the factum of compromise.

Operation of the impugned order dated 20.10.2018 is stayed till the next date of hearing.

Adjourned to 21.08.2024.”

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2. Vide order dated 21.08.2024 passed in CRM-M-13464-2023, the FIR in question has been quashed on the basis of an amicable settlement having been arrived at between the parties.
3. Keeping in view the entirety of facts and circumstances of the case, especially the fact that the order declaring the petitioner as a proclaimed offender arises from an FIR which emanates from a matrimonial dispute which further has been quashed (on the basis of a compromise); the impugned order dated 20.10.2018 is hereby quashed.
4. Pending applications, if any, shall also stand disposed off.

21.08.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No