



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43224-2024 (O&M)
Date of decision: 03.09.2024

Avikash Kumar @ Abhinash and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Divyansh Vats, Advocate for
Mr. H.S. Batth, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.100 dated 29.04.2021
under Sections 363 & 366-A of the Indian Penal Code, 1860, registered at
Police Station City Phagwara, District Kapurthala (Annexure P-1) and all the
subsequent proceedings emanating therefrom, on the basis of
compromise/affidavit dated 14.05.2024 (Annexure P-2)
2. Learned counsel for the petitioner submits that petitioner No.3 and
respondent No.3 have performed marriage with each other and they are

cohabiting together as husband and wife. Their relationship was opposed to respondent No.2 and on his complaint, FIR (*supra*) was registered. Petitioner No.3 Manish Kumar has been declared as proclaimed offender without following the drill of Section 82 of Code of Criminal Procedure, 1973 and now the compromise has been effected between the parties.

3. Respondent No.2 has approved the relationship of petitioner No.3 and respondent No.3. However, the order, vide which petitioner No.3 was declared as proclaimed offender, has not been challenged till date.

4. In view of the above, learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to file a fresh petition, after challenging the order, vide which petitioner No.3 was declared as proclaimed offender.

5. Dismissed as withdrawn with liberty aforesaid.

03.09.2024

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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No