

Balwant Kaur Vs State of Punjab and another

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Oct. 12, 2012

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 482
Protection of Women From Domestic Violence Act, 2005 â€” Section 12, 18, 19, 20, 23

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Advocate: V. Ramswaroop, for the Appellant; Neelam, A.A.G., Punjab Respondent No. 2 in person with Mr. J.S. Grewal, for the Respondent

Judgement

Ram Chand Gupta, J.

The present petition has been filed u/s 482 of the Code of Criminal Procedure for quashing of complaint No. 29/2

dated 10.02.2010 (Annexure P-1) filed by respondent No. 2, summoning order dated 10.02.2010 (Annexure P-3) and subsequent proceedings

pending before learned Chief Judicial Magistrate, Nawanshahar titled ""Sandeep Kaur Vs. Sukhwinder Singh and others"" under Sections 12, 18,

19, 20 and 23 of the Protection of Women from Domestic Violence Act, 2005. I have heard learned counsel for the parties and have gone

through the record.

2. It has been stated by learned counsel for the petitioner as well as learned counsel for respondent No. 2 that dispute between the parties was

matrimonial in nature and the same has since been settled due to intervention of respectable persons and relatives from both the sides and that

respondent No. 2 has started living with her husband (nephew of present petitioner).

3. Respondent No. 2 - complainant also appeared in person with her counsel and filed reply by way of affidavit admitting the factum of

compromise and stating that she is having no objection if the present complaint and consequential proceedings are quashed. Respondent No. 2 has

also stated before this Court that she is living with her husband (nephew of present petitioner).

4. In appropriate cases criminal complaint can be quashed on the basis of compromise by exercising power u/s 482 Cr. P.C., even if the offences

are not compoundable. It was so held by Full Bench of this Court in the case of Kulwinder Singh and Others Vs. State of Punjab and Another, .

Hence, in view of these facts and in the interest of harmonious relations between the parties, the present petition is allowed and the impugned

complaint No. 29/2 dated 10.02.2010 (Annexure P-1) filed by respondent No. 2, summoning order dated 10.02.2010 (Annexure P-3) and

subsequent proceedings pending before learned Chief Judicial Magistrate, Nawanshahar titled ""Sandeep Kaur Vs. Sukhwinder Singh and others

under Sections 12, 18, 19, 20 and 23 of the Protection of Women from Domestic Violence Act, 2005 qua petitioner Balwant Kaur are, hereby,

quashed.