

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-10263 of 2013 (O&M)

Date of Decision: 19.5.2015

Babu Singh

--Petitioner

Versus

Jagmohan Kaur

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.S. Walia, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant petition was filed under Section 482 Cr.P.C seeking quashing of Criminal Complaint No.2841 of 18.11.2005 titled as Jagmohan Kaur Vs. Bhupinder Singh and others under sections 406, 498-A, 506 I.P.C on the basis of compromise which as per counsel for the petitioner/accused had been entered into between the parties.

Notice of motion was issued in the present petition on 1.4.2013 and the parties were directed to appear before the Illaqa Magistrate for getting their statements recorded in support of the compromise.

Placed on record is a report dated 10.10.2014 of the learned Additional Sessions Judge, Ludhiana, wherein it has been stated that complainant Jagmohan Kaur had appeared on 10.10.2014 and had stated that she had effected compromise under the pressure of Panchayat members and such compromise was not of her own free will and accord.

It may also be noticed that inspite of service having been effected, no representation has been caused on behalf of the respondent/complainant.

Under such circumstances, instant petition filed under section 482 Cr.P.C seeking quashing of the aforementioned impugned complaint on

the basis of compromise would not survive as apparently no compromise has been effected.

Petition, accordingly, is dismissed.

At this stage, counsel appearing for the petitioner would, however, submit that in pursuance to the compromise based upon which the instant petition was filed, a sum of Rs.1 lac had been made over by the petitioner to the complainant.

Be that as it may and without going into the veracity of such submission, it would be open for the petitioner to take recourse to such remedy in such regard as may be available in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

May 19, 2015
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