

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**Criminal Appeal No. 664-SB of 2005**  
**DATE OF DECISION :- May 18, 2016**

**Balbir Singh and others** **...Appellant**

**Versus**

**State of Punjab** **...Respondent**

**Criminal Revision No. 1538 of 2005**

**Paramjit Kaur** **...Petitioner**

**Versus**

**State of Punjab and others** **...Respondent**

**CORAM: HON'BLE MR.JUSTICE M.JEYAPPAUL**

**HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

**Present:-** Mr. Shivam Grover, Advocate  
for Ms. Tanu Bedi, Advocate for the appellant  
in Criminal Appeal No. 664-SB of 2005  
and for respondent nos. 2 to 7 in CRR 1538 of 2005.

Mr. Gursharan Singh, Advocate  
for Mr. Ranjan Lakhanpal, Advocate the petitioner  
in CRR 1538 of 2005  
and for the complainant in CRA-S 664 of 2005

Mr. Premjit Singh Hundal, AAG, Punjab.

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1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the digest? Yes/No

**M.JEYAPPAUL, J.**

1. The appellants who were convicted under Sections 313,

498A, 506 and 120B of the Indian Penal Code have preferred Criminal Appeal No. 664-SB of 2005. The complainant, who is the wife of Balbir Singh, who is the 1<sup>st</sup> appellant in the above appeal, has preferred Criminal Revision No. 1538 of 2005 seeking enhancement of punishment and also for compensation.

2. The above criminal case has been launched by complainant Paramjit Kaur wife of Balbir Singh as there was matrimonial discord between husband and wife.

3. Balbir Singh filed a petition under Section 13 of the Hindu Marriage Act against his wife Paramjit Kaur seeking dissolution of marriage by way of decree of divorce. The trial Court granted the decree of divorce as prayed for on 6.12.2006. An appeal has been preferred by Paramjit Kaur challenging the decree of divorce granted by the trial Court. During the course of hearing of the appeal No. FAO-37-M of 2007 filed by Paramjit Kaur, both the parties arrived at a settlement to amicably resolve their matrimonial dispute. In fact, Paramjit Kaur has agreed to receive a sum of ₹17 lacs in full quit of her claim made as against Balbir Singh. Part of the amount has already been paid. The remaining part in the shape of bank drafts is lying in the custody of the Registry of this Court.

4. Learned counsel appearing on either side submit that in view of the compromise reached between the parties to amicably settle their matrimonial dispute, the Criminal Revision filed by Paramjit Kaur may be dismissed as withdrawn and the conviction and sentence passed by the trial Court based on the complaint given by Paramjit

Kaur in culmination of the matrimonial discord may be set aside and the appeal be allowed.

5. We have carefully considered the above prayer made by the counsel appearing for the parties concerned in the background of the fact that the criminal case in fact was launched by Paramjit Kaur on account of the matrimonial discord and that the matrimonial dispute stood completely settled by the parties in terms of amicable settlement arrived at between them.

6. In our considered opinion, if the conviction and sentence passed by the trial Court are sustained, the matrimonial dispute between the parties will remain forever and they may not be in a position to part ways to spend their remaining part of their life in a peaceful atmosphere.

7. In view of the above facts and circumstances, Criminal Revision No. 1538 of 2005, as prayed for stands dismissed as withdrawn. Further, in order to facilitate the parties to resolve their matrimonial dispute once for all, the judgment of conviction and sentence passed by the trial Court stands set aside and the CRA-S 664 of 2005 is consequently allowed.

**(M. JEYAPPAUL)**  
**JUDGE**

**(RAJ MOHAN SINGH)**  
**JUDGE**

**May 18, 2016**  
*p.singh*