

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-22892 of 2014
Date of decision:- May 06, 2016

Davinderjit Kaur

...Petitioner...

versus

Bimla Devi

...Respondent...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. R.S. Malhotra, Advocate
for the petitioner.

Ms. Surinder Kaur, Advocate,
for the respondent.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure seeking quashing of complaint bearing No. 1213/02/05, dated 19.10.2004, under Section 138 of the Negotiable Instrument Act, titled as "Bimla Devi vs. Davinderjit Kaur, and subsequent proceedings arising out of the same, on the basis of compromise/affidavit dated 27.03.2014 (Annexure P-2).

2. Report of learned Judicial Magistrate has been received, in which, it has been categorically observed that compromise effected between the parties is genuine one. Even otherwise, the

matter involved is personal in nature, which has been amicably put at rest.

3. So, in view of above circumstances and in view of the pronouncement captioned as “**Kulwinder Singh & others v. State of Punjab & others**”; 2007 (3) RCR (Criminal) 1052, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

4. Consequently, the instant petition stands allowed and complaint bearing No. 1213/02/05, dated 19.10.2004, under Section 138 of the Negotiable Instrument Act and all other consequential proceedings arising therefrom are quashed qua the petitioner.

May 06, 2016
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(JASPAL SINGH)
JUDGE