

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 1830 of 2012 (O&M)

Date of decision : 28.07.2016

Amrit Singh

..... Petitioner

versus

Sukhwinder Kaur and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Amarjit Markan, Advocate
for the petitioner**

**Mr. Dhirinder Chopra, Advocate
for respondent No. 1**

Mr. K.S. Aulakh, AAG Punjab

ANITA CHAUDHRY, J. (ORAL

Petitioner alongwith his other co-accused had faced trial under Section 406, 498-A read with Section 34 of the Indian Penal Code, 1860 ('IPC' for short) in a criminal complaint. The trial Court vide judgment/order dated 25.2.2011 convicted and sentenced the petitioner to undergo rigorous imprisonment for one year under under Section 406/34 IPC and to pay a fine of Rs. 500/- and in default of payment of fine to further undergo rigorous imprisonment for one month and to undergo rigorous imprisonment for one year under under Section 498-A/34 IPC and to pay a fine of Rs. 500/- and in default of payment of fine to further undergo rigorous imprisonment for one month.

Aggrieved against the said judgment/order of his conviction and sentence, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 04.06.2012.

An application bearing CRM-9957-2016 had been filed by the

petitioner seeking quashing of the complaint under Section 406/498-A/34 IPC and

all consequential proceedings on the basis of compromise. Thereafter application (CRM-15633-2016) had been filed for preponing the case on the ground that complainant Sukhwinder Kaur had to return to Toronto (Canada) on 26.05.2016. The State had not been made party, the petitioner was asked to implead the State as a party. The same day complainant was present. It was noted on 23.05.2016 that the complainant - Sukhwinder Kaur had admitted that the matter has been compromised. She had also placed copy of the passport on record. The parties had agreed to live together.

Petition is taken up on Board for hearing.

The parties have settled their dispute. Copy of the written compromise is available on record.

It is a matrimonial dispute between husband and wife and good sense has prevailed and they have decided to join each other's company. There is no legal impediment in granting permission to them to compound the offence. The compromise effected between the parties is accepted. The revision petition is allowed. The judgments of conviction and sentence passed by the Courts below are set aside and the petitioner is acquitted of the charges.

July 28, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No