

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

CRM-M No. 12200 of 2018

DATE OF DECISION :- August 23, 2018

Varinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Anil Chawla, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Complainant Jagwinder Kaur had filed a complaint under Sections 406/498-A/120-B IPC against her husband Varinder Singh and his family members on the allegations of maltreatment, harassment in connection with demand of dowry and criminal breach of trust with regard to her dowry articles entrusted to the accused.

After recording of preliminary evidence vide order dated 29.9.2016, all the accused were ordered to be summoned. The accused have since put in appearance in the trial Court. In the meanwhile, the dispute was settled amicably between the parties. They decided to get their marriage dissolved by a decree of divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955. Such decree has been passed on 20.12.2017. A certified copy of the judgment and decree passed have been placed on

record. In para no. 3 of the judgment it is specifically mentioned that Jagwinder Kaur has filed a criminal complaint against Varinder Singh and his family members which is pending in the Court of JMIC, Amritsar and Jagwinder Kaur was bound to move an application for withdrawal of that complaint. It is further mentioned that all the dowry articles, gifts, 'Istri Dhan' have also been exchanged between the parties and both the parties shall withdraw all civil and criminal cases filed against each other, if any. It is stated that since Jagwinder Kaur is not coming forward to withdraw complainant, therefore, the necessity arose of filing the present petition under Section 482 Cr.P.C. seeking quashing of the complaint, summoning order and all other ancillary proceedings. Notice of petition was given to respondent-complainant but she did not put in appearance.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

I find that in view of settlement arrived at between Varinder Singh and Jagwinder Kaur, the continuation of the proceedings in the complaint is uncalled for. It would be in the interest of justice if complaint, summoning order and ancillary proceedings are quashed, as prayed for. It is ordered accordingly by way of acceptance of the present petition.

(H.S. MADAAN)
JUDGE

August 23, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No