

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

**CRM-M-14132-2019
Date of decision : 29.08.2019**

Geetika Jain and another Petitioners

versus

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms.Rubai J.Singh, Advocate for the petitioners.

Mr.Sukhbeer Singh, AAG, Punjab.

Mr.Ankur Jain, Advocate for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for quashing of Criminal Complaint No. 20 dated 20.09.2017 titled as “Dhara Jain vs. Puneet Jain and others”, under Sections 406, 498-A, 323, 354, 294, 506, 148, 149 IPC (Annexure P-1) pending before JMIC, Ludhiana and the summoning order dated 05.06.2018 (Annexure P-2) passed by the learned Magistrate whereby the petitioner was summoned under Sections 406, 420, 498-A, 323 and 506 IPC. Challenge has also been made to order dated 08.02.2019 (Annexure P-3) passed by learned Sessions Judge, Ludhiana whereby revision petition filed by the petitioner against the order dated 05.06.2018 (summoning order) was dismissed.

On 28.03.2019 this Court passed the following order:-

“Learned senior counsel has inter-alia argued that the petitioners are sister-in-law and brother-in-law of respondent No.2 Dhara Jain, complainant. The marriage of respondent No.2 was performed with Puneet Jain in the year 2007 whereas the petitioners were already married in the year 2003 and they are settled and residing in Phagwara. They have been summoned in a complaint case without adhering to the provision of Section 202 of the Code of Criminal Procedure, as the petitioners are residing outside the territorial jurisdiction of learned Magistrate. The police report was required in the case, before their summoning but no such report was sought therefrom. He further states that before filing the present complaint, respondent No.2 had filed a complaint to the police, in which the police has enquired into the complaint. Thereafter finding no substance in the complaint, a calandra under Section 182 of the Indian Penal Code was filed against respondent No.2. Therefore, the petitioners being the distant relatives should not be made to suffer in proceedings under the Domestic Violence Act.

Notice of motion for 21.05.2019.

Meanwhile the proceedings qua the petitioners shall remain in abeyance till the next date of hearing.”

At this stage Mr.Ankur Jain, learned counsel appearing for respondent No.2, has submitted that after issuance of notice in the present case, the matter has been compromised between the parties and accordingly, a compromise deed dated 21.08.2019 has duly been executed between the parties. The same is signed by the petitioner as well as the complainant along with other witnesses including the affected parties. Therefore, in terms of the compromise so effected, the present petition no more survives,

as the parties are required to withdraw their respective cases.

The photocopy of compromise-deed dated 21.08.2019 so entered into between the parties has been produced before this Court and the same is taken on record.

On the basis of the statement made by counsel for respondent No.2 that the matter having been compromised between the parties, the present petition is rendered infructuous. However, the parties shall be bound by the terms of compromise in letter and spirit.

Disposed of as having been rendered infructuous.

(HARI PAL VERMA)
JUDGE

29.08.2019
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No