

CRM-M-38325-2016 (O&M)

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

**CRM-M-38325-2016 (O&M).
Decided on: August 20, 2019.**

Bansi Ram

.. Petitioner

VERSUS

Indu Sharma

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

*** * ***

**PRESENT Mr.Kushagra Mahajan, Advocate,
for the petitioner.**

**Mr.Sylvester Stephen, Advocate, for
Mr.Sandeep S. Majithia, Advocate,
for the respondent.**

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of complaint dated 8.10.2011 (Annexure P1) titled as “*Indu Sharma Vs. Bansi Ram and another*”, under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the D.V.Act'), pending in the Court of learned Judicial Magistrate First Class,

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Amritsar.

Vide order dated 3.5.2019, passed by this Court, the parties were directed to appear before the Mediation and Conciliation Centre of this Court. Pursuant thereto the parties have appeared before the Mediation and Conciliation Centre of this Court and a settlement agreement dated 20.5.2019, has been arrived at between the parties.

Learned counsel for the petitioner has argued that in terms of compromise/settlement agreement dated 20.5.2019, the petitioner is required to pay a sum of Rs.7 lac to respondent Indu Sharma whereas the sons Vishav Sharma and Varun Sharma, have no claim to this amount as they have already attained majority and are earning.

Learned counsel for the complainant on instructions from respondent Indu Sharma who is present in the Court states that she has no objection in case the complaint filed by her is quashed in terms of compromise/settlement agreement dated 20.5.2019.

Heard.

There is no dispute that the matter has been compromised between the parties vide settlement agreement dated 20.5.2019. In terms of settlement dated 20.5.2019, the petitioner has handed over a bank draft of Rs.7 lacs to the respondent-wife Indu Sharma, present in the Court. A photocopy of which has been retained on record of this file. Thus, when the settlement is arrived at between the parties the continuation of proceedings under the D.V. Act, would be nothing but an abuse of process of law. Accordingly, the present petition is allowed and complaint dated 8.10.2011

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(Annexure P1) titled as “*Indu Sharma Vs. Bansi Ram and another*”, under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the D.V.Act'), pending in the Court of learned Judicial Magistrate First Class, Amritsar, is hereby quashed.

August 20, 2019.	(HARI PAL VERMA)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No