

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204(1)

CRM-M-41275-2017

Sukhwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

204(2)

CRM-M-45203-2017

Gurmeet Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

Date of Decision:22.04.2019

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Ms. Jyoti Gill and
Mr. Amit Arora, Advocates,
for the petitioner(s).

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Ranbir Singh Pathania,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

This order shall dispose of CRM-M-41275-2017 (titled as Sukhwinder Singh Versus State of Punjab and another) and CRM-M-45203-2017 (titled as Gurmeet Singh and another Versus State of Punjab and another) as both these cases are arising out of the same complaint.

Prayer in both these petitions filed under Section 482 Cr.P.C. is for quashing of application/complaint No.COMA/7/2017 dated 03.02.2017 under Section 12 read with Sections 17, 18, 19, 20 and 22 of the

Protection of Women from Domestic Violence Act, 2005, titled as

“Sandaljit Kaur Versus Vikashdeep Singh and others” (Annexure P-1) pending in the Court of learned Judicial Magistrate 1st Class, Tarn Taran along with all subsequent proceedings arising therefrom.

At this stage, learned counsel for respondent No.2 has produced on record a photocopy of the judgment dated 23.08.2018 passed by learned Additional District Judge, Tarn Taran, whereby on a joint petition filed by respondent No.2 along with her husband-Vikashdeep Singh under Section 13-B of the Hindu Marriage Act, 1955 (for brevity “the H.M. Act”) a decree of divorce has been passed and thereby the marriage between the parties has been dissolved by way of mutual consent as provided under Section 13-B of the H.M. Act.

In CRM-M-41275-2017, petitioner-Sukhwinder Singh is a middleman who facilitated the marriage of respondent No.2 with Vikashdeep Singh, whereas in CRM-M-45203-2017, petitioners-Gurmeet Singh and Sharanjit Kaur are maternal uncle and aunt of Vikashdeep Singh.

Heard learned counsel for the parties.

In view of the fact that petitioner-Sukhwinder Singh is a middleman who facilitated the marriage of respondent No.2 with Vikashdeep Singh and petitioners-Gurmeet Singh and Sharanjit Kaur are maternal uncle and aunt of Vikashdeep Singh, coupled with the fact that marriage between the parties has already been dissolved by way of mutual consent under Section 13-B of the H.M. Act, both the petitions are allowed and the complaint filed by respondent No.2 qua the petitioners is hereby quashed.

April 22, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No