

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-6114-2018

Date of Decision:15.07.2019

Gurvinder Singh

.....Petitioner

Versus

Harpreet Kaur and another

.....Respondents

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

Present: None for the parties.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of complaint No.5003/2016 dated 23.05.2016 (Annexure P-2) under Sections 12, 18, 19, 20, 21, 22 of Protection of Women from Domestic Violence Act, 2005, titled as “Harpreet Kaur and another Versus Gurvinder Singh and others” and the order dated 11.05.2017 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Ludhiana, on an application filed under Section 23 of the Protection of Women from Domestic Violence Act, whereby maintenance of Rs.3500/- P.M. was granted to respondent No.1 and Rs.1500/- P.M. to respondent No.2.

Vide order dated 31.07.2018, the matter was referred to the Mediation and Conciliation Centre of this Court and the parties were directed to appear before the Mediator.

Pursuant to the aforesaid order, the parties have appeared before the Mediation Centre and the report dated 28.09.2018 has been received from the Mediator stating therein that the parties have settled their

disputes by way of amicable settlement. The settlement-deed dated 28.09.2018 has also been signed by the parties.

Clause 19 of the settlement-deed dated 28.09.2018 reads as under:-

“19. That the respondent No.1 wife withdraw the case pending in the Court of Smt. Sumit Sabharwal, JMIC, Ludhiana under the Domestic Violence Act, Complaint No.COMA-5003 of 2016 and CRM No.849 of 2017 titled as Harpreet Kaur Vs. Gurwinder Singh & others pending for 3.10.2018.”

The status of complaint No.COMA-5003 of 2016 available on the official website of District Court reveals that respondent No.1 has already withdrawn the complaint on 22.10.2018. The order dated 22.10.2018 passed by learned Judicial Magistrate 1st Class, Ludhiana reads as under:-

“Petitioner suffered statement that matter has been compromised with the respondent and petition u/s 13-B of HMA has been filed. As such she does not want to pursue with present application same may kindly be dismissed as withdrawn. In view of the statement of petitioner, present petition is dismissed withdrawn. File be consigned to record room after due compliance.”

In view of the above, since respondent No.1 has already withdrawn the complaint, the present petition is rendered infructuous and the same is dismissed as such.

July 15, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No