

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

CRM-M-30363-2019

Date of decision-27.11.2019

Surinder Kaur

...Petitioner

Vs.

Kuldeep Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S.Jawandha, Advocate for the petitioner.

Mr. Manav Parteek Sharma, Advocate for the respondent.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by accused/petitioner under Section 482 Cr.P.C for quashing of the complaint bearing No.44-2016, dated 22.12.2015, titled as “Kuldeep Singh Vs. Surinder Kaur”, which is pending in the court of learned Civil Judge (Junior Division) Samrala.

On 18.07.2019, the following order was passed:-

“Learned counsel for the petitioner contends that pursuant to the statutory notice dated 04.12.2015 served by the complainant, the accused sent his reply dated 15.12.2015 expressing his willingness to pay the amount of ₹50,000/- as demanded by the complainant. However, the complainant instead of accepting the amount as offered by the accused proceeded to institute the complaint concealing the factum of reply sent by the accused and simply pleaded that the amount demanded by the complainant was not paid.

Learned counsel for the petitioner further contends that though there is no cognizance by the Court on the said complaint, however, an application already stands filed along with the draft by the petitioner on 05.01.2016 reiterating his willingness

to pay the amount of ₹50,000/-, which has been tagged with the main case where summoning order is yet to be passed.

Notice of motion for 27.11.2019.

In the meantime, proceedings before the trial Court shall remain stayed.”

Pursuant to the above order, respondent (complainant) is present in Court and is represented by his counsel who has filed his power of attorney.

Learned counsel for the petitioner submits that the parties have entered into a compromise and a sum of Rs.50,000/- is to be paid to complainant by way of demand draft. He submits that the petitioner would move an appropriate application for compounding the offence before the trial Court.

Learned counsel appearing on behalf of the complainant does not dispute this fact that the parties have indeed entered into the compromise and has settled the dispute.

In view of the stand of the parties, nothing survives for adjudication before this Court. Parties are relegated to adopt their remedy before the trial Court.

Disposed off.

(MANOJ BAJAJ)
JUDGE

27.11.2019

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