

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30624-2019 (O&M)
Date of Decision:- 1.10.2019

Kulwinder Chand

... Petitioner

Versus

Anju Bala

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Liaqat Ali, Advocate, for the petitioner.

Mr. Lovish Rattan, Advocate for
Mr. Surinder Sharma, Advocate, for the respondent.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of Complaint No.COMI/2121/13, dated 30.7.2010 and consequent proceedings arising therefrom including judgment dated 3.5.2017 passed by learned Judicial Magistrate 1st Class, Phillaur, whereby the petitioner stands convicted for offences under Sections 323, 406, 498-A and 506 IPC on the basis of a compromise having been effected between the parties.
2. The appeal challenging judgment dated 3.5.2017 is stated to be pending in the Court of learned Additional Sessions Judge, Jalandhar.
3. Vide order dated 19.7.2019 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

4. Report of learned Judicial Magistrate 1st Class, Phillaur, has been received wherein it has been reported that statement of complainant Anju Bala as well as of petitioner/accused Kulwinder Chand, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised with the petitioner and she does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Phillaur, opined that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.
5. In view of the aforesaid report and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and Complaint No.COMI/2121/13, dated 30.7.2010, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners. Consequently judgment dated 3.5.2017 passed by learned Judicial Magistrate 1st Class, Phillaur, whereby the petitioner stands convicted for offences under Sections 323, 406, 498-A and 506 IPC is also set aside.

October 1, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No