

CRM-M-37153-2018 (O&M)  
Date of Decision : 12.12.2019

Amandeep Singh

.....Petitioner

versus

State of Punjab and another

....Respondents

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

**Present:** Mr. P.S. Ahluwalia, Advocate  
for the petitioner.

Mr. Pawan Sharda, Senior DAG, Punjab  
for respondent No.1-State.

Mr. Jashanpreet Sidhu, Advocate  
for respondent No.2.

**FATEH DEEP SINGH, J. (ORAL)**

**CRM-21673-2019**

This is an application moved by the applicant/petitioner  
for permission to go to Australia.

The Court, in the proceedings today, has given personal  
hearing to the parties in the chamber, in the presence of their  
respective counsel. Respondent No.2-Ramanbir Kaur, the wife, has  
agreed that she will sign all the papers necessary for the family to  
migrate to Australia and would not object, if the husband-Amandeep

Singh is allowed to go to Australia to earn his livelihood. The husband has undertaken that he will apply for immigration of the wife and daughter-Grace to Australia and for which, he will undergo all the formalities.

In light of the same, the present application is allowed.

CRM stands disposed off.

**CRM-M-37153-2018**

Report dated 29.01.2019 of the Mediator of the Mediation and Conciliation Centre of this Court has been received whereby after holding joint as well as individual sessions with the parties, the Mediator has reported that the private parties to this petition have settled their disputes by way of an amicable settlement/agreement reduced into writing annexed with the report.

During the course of personal hearing in the chamber, the applicant/petitioner/husband-Amandeep Singh undertakes that he will be paying maintenance allowance at the rate of ₹20,000/- per month to enable her to run the household and for the upkeep of the child. The husband has undertaken that on migration of the wife and the daughter to Australia, he will ensure and undertakes to keep them in a separate accommodation away from those of other relatives.

Moreover, complainant-Ramanbir Kaur, who has personally put in appearance has vouched for the compromise and

got her statement recorded to the effect that she has entered into a compromise with the petitioner before the Mediation and Conciliation Centre of this Court on 29.01.2019 out of her free will and consent and has no objection, if the present FIR No.138 dated 18.06.2011 under Sections 406, 498-A and 323 of the Indian Penal Code registered at Police Station A Division District Amritsar City is quashed.

It has been brought to the notice of the Court that the husband has to file undertaking to the authorities in Australia that he is not facing any criminal prosecution and to enable him, the wife undertakes that she will withdraw all the cases filed by her against the husband and his family. To further their conciliation the wife has made statement and so the husband for allowing the present petition for quashment of the FIR No.138 dated 18.06.2011.

Heard.

In the light of the report of the Mediator and statement made by the complainant in person before this Court which is reduced into writing and considering the fact that the offence for which the accused has been hauled up are not of serious nature, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and in view of the law laid down in '**Gian Singh Vs. State of Punjab and another**' 2012 (4) RCR (Criminal) 543 and '**Kulwinder Singh and**

**others Vs. State of Punjab and another' 2007 (3) RCR (Criminal)**

**1052**, the prayer made in the petition is allowed, proceedings by way of FIR No.138 dated 18.06.2000 registered at Police Station A Division District Amritsar City under Sections 406, 498-A and 323 of the Indian Penal Code and all consequences arising out of the said FIR *qua* the petitioner are quashed.

Vide separate order of even date, the petition stands allowed in those terms. However, in case, the parties are not able to carry on with this relationship, the wife would be at liberty to get the criminal proceedings revived.

**12.12.2019**

*Neha*

**(FATEH DEEP SINGH)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No