

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

**CRM-26125-2019 IN/AND
CRR-568-2016
Decided on : 05.02.2020**

Inderpreet Singh

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. P.S. Ahluwalia, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, Asstt. AG, Punjab.

Mr. Nakul Sharma, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

CRM-26125-2019

This is an application under Sections 482 Cr.P.C., for taking the main revision on board and disposing of the same, in view of the compromise arrived at between the parties on 31.05.2019 (annexed as Annexure P-4 with the revision petition).

The matter has been compromised between the parties during the pendency of the revision petition, which was filed by the applicant-petitioner to challenge his conviction under Section 498-A IPC by the Courts below.

In view of the averments made in the application, which is supported by an affidavit, the same is allowed and the main case is taken up for final disposal in view of the compromise arrived at between the parties.

CRR-568-2016

Instant revision petition has been filed against the order dated 09.11.2010, passed by the learned Judicial Magistrate 1st Class, Jalandhar,

whereby the petitioner was convicted and sentenced for the offence punishable under Section 498-A IPC, which was subsequently, upheld by the learned Additional Sessions Judge, Jalandhar, vide order dated 11.01.2016.

Vide order dated September 12, 2019, passed in the aforesaid application, parties were directed to appear before the trial Court for getting their statements recorded *qua* the factum of compromise on 05.11.2019.

Report has since been received from the learned JMIC, Jalandhar, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed. The trial Court has annexed the copies of statements of the parties in original, alongwith its report.

Learned counsel for the petitioner states that the compromise has been arrived at between the parties.

Learned counsel for respondent No.2 - complainant does not dispute the factum of compromise having been arrived at between the parties. It has also been brought to the notice of the Court that all the disputes brought to this Courts stands settled and in view of the terms and conditions of the compromise so arrived at between the parties ₹ 14.50 lakh, which were ordered to be deposited in the Registry vide order dated 31.05.2019, passed in CR No. 4019 of 2017 have been deposited.

Learned counsel for the petitioner has placed reliance upon the judgment of this Court, rendered in *Sube Singh and another Vs. State of Haryana, 2013(4) R.C.R. (Crl) 102*, wherein, during the pendency of the appeal,

of the offences for which the accused had been convicted were ordered to be compounded, as the allegations against the accused were on account of matrimonial dispute between the parties. It is urged that even in the case in hand, the allegations against the convict emanated due to the matrimonial dispute between them.

Adverting to the facts of present case, the parties have mutually settled their dispute and have buried the hatchet. In the instant case, better sense has prevailed upon the parties, as they have put to an end their grievance against each other and have settled the dispute with their free will without any pressure or coercion.

In view of the report of the learned JMIC, Jalandhar and the principles laid down by the Apex Court in Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303, and also by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052, the instant revision petition is allowed. Consequently, the judgments of conviction and sentence passed by the Courts below are set aside and the petitioner is acquitted of the charges.

Registry is also directed to disburse the amount so deposited vide order dated 31.05.2019 to the respondent-wife.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

February 05, 2020

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No