

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

CRM-M- 29213-2020

Date of Decision : September 25, 2020

Dilbag Singh

..... PETITIONER(S)

VERSUS

Hardeep Kaur

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. A.S. Manase, Advocate, for the petitioner.
 Mr. G.S. Manku, Advocate, for the respondent.

Sanjay Kumar, J.

The petitioner seeks quashing of the private complaint bearing No. COMA 8 of 2016 dated 20.11.2014 filed by his wife, the respondent herein, on the file of the Sub-Divisional Judicial Magistrate, Ajnala, under Section 12 read with Sections 16, 17, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter, 'the Act of 2005'). He also seeks quashing of the order dated 18.07.2018 passed therein, under Sections 31 and 32 of the Act of 2005, declaring him a proclaimed person.

The basis for seeking this relief is the compromise deed dated 19.02.2020, whereby the couple are stated to have settled their differences amicably and decided to part ways by securing a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955.

Mr. G.S. Manku, learned counsel, entered appearance for the 2nd respondent-wife and filed his Power of Attorney. He confirmed the factum of the compromise and states that his client has no objection to the

closure of the case filed by her under the Act of 2005.

In **Gian Singh vs. State of Punjab and another [(2012) 10 SCC 303]**, the Supreme Court observed to the effect that certain offences overwhelmingly and predominantly bear civil flavour and in offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, the wrong is basically to the victim and if, in such cases, the offender and the victim settle all disputes between them amicably, the High Court may, within the framework of its inherent power, quash the proceedings if it is satisfied with the factum of such settlement.

As the case on hand falls squarely within the ambit of the aforestated observations and the parties seem to have decided, in their wisdom, to dissolve their marriage amicably and have settled all pending issues, no purpose would be served in insisting upon the proceedings initiated under the Act of 2005 being continued further.

The petition is accordingly allowed quashing the private complaint bearing No. COMA 8 of 2016 dated 20.11.2014 on the file of the Sub-Divisional Judicial Magistrate, Ajnala, and all other proceedings relating thereto, including the order dated 18.07.2018 passed therein declaring the petitioner a proclaimed person.

September 25, 2020
Kang

(Sanjay Kumar)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No