

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

**231**

(Through Video Conferencing)

**CRM-M-8176-2021**

**Date of decision: 23.09.2021**

Malkiat Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Vipin Mahajan, Advocate  
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab  
for respondent No.1-State.

Mr. Vishal Munjal, Advocate  
for respondent No.2.

\*\*\*\*

**MANJARI NEHRU KAUL, J. (ORAL)**

The instant petition is for quashing of Criminal complaint No.75/21.09.2015 (CIS No.COMI-2018-2015) titled Rajwant Kaur Vs. Malkiat Singh and others (P-1) along with summoning order dated 23.02.2017 vide which the petitioners have been summoned to face trial under Sections 498-A, 406, 506 and 354 of the Indian Penal Code, 1860 along with all consequential proceedings arising out of the same, on the basis of compromise dated 19.01.2021 (Annexure P-5) arrived at, between the parties.

Vide order dated 23.02.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 23.03.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Additional Chief Judicial Magistrate, Gurdaspur, 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 complaint case *qua* the accused-petitioners is quashed.

Learned counsel for the petitioners and learned counsel for respondent No.2 have submitted that the marriage between the parties also stands dissolved under Section 13-B of the Hindu Marriage Act, 1955.

The trial Court has annexed the statements of the parties in original alongwith its report.

In view of the report of the learned Additional Chief Judicial Magistrate, Gurdaspur 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 petition is allowed. The aforesaid complaint case and all consequential proceedings arising out of it, are quashed.

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

23.09.2021

Vinay

(MANJARI NEHRU KAUL)

JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |