

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43628-2023
Date of Decision.:20.12.2023

Harjinder Kaur @ Harinder Kaur and OthersPetitioners

Vs.

State of Punjab and AnotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Admitted facts are that marriage between Amritpal Kaur and Sukhchain Singh was solemnized on 24.11.2013 and out of that wedlock, a son namely Jigarjit Singh was born on 05.02.2015. Both the parties are residing in New Zealand, whereas minor child Jigarjit Singh is residing with his paternal grand-parents i.e., Major Singh and Manjot Kaur, who are the parents of Sukhchain Singh. It is also conceded that on the petition filed by Amritpal Kaur at New Zealand, divorce has already been granted by the competent Court of law at New Zealand.

2. Matrimonial dispute between the above-said Amritpal Kaur and Sukhchain Singh led to various kinds of litigations filed against each other. In the series of that litigation, one complaint was filed by Major Singh, the father of Sukhchain Singh against his daughter-in-law Amritpal Kaur;

besides her parents Harjinder Kaur @ Harinder Kaur and Bikramjit Singh and brother Gurbaksh Singh. In that, criminal complaint bearing No.COMI/881/2018 (Annexure P-11), after recording preliminary evidence, learned Magistrate passed summoning order dated 24.07.2023, directing summoning of the three accused namely Harjinder Kaur @ Harinder Kaur, Bikramjit Singh & Gurbaksh Singh (now petitioners) to face trial under Sections 448 & 506 of the IPC.

3. Present CRM-M-43628-2023 has been filed to quash the complaint (Annexure P-11), the summoning order (Annexure P-12) and all subsequent proceedings. Some other petitions were also pending before this Court arising out of the litigation against the parties.

4. Vide order dated 04.09.2023 passed in CRM-M-54865-2022, the Court directed both the parties to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of compromise.

5. Good sense prevailed over both the parties. They have arrived at an amicable settlement before the Mediation and Conciliation Centre of this Court. Settlement/agreement dated 19.10.2023 has been executed between Amritpal Kaur, her mother/Special Power of Attorney Harjinder Kaur @ Harinder Kaur and her father Bikaramjit Singh as First Party; and Sukhchain Singh and his parents Major Singh & Manjit Kaur as Second Party. The Settlement/agreement dated 19.10.2023 has been duly signed by Amritpal Kaur through her Special Power of Attorney- mother Harjinder Kaur @ Harinder Kaur besides father Bikaramjit Singh. On behalf of the second party, the settlement/agreement has been duly signed by Sukhchain

Singh through his power of attorney Major Singh i.e., his father besides mother Manjit Kaur.

6. As per the settlement/agreement (Annexure A-1), the respondent- Major Singh i.e. complainant of the case will have no objection in a complaint case bearing No.COMI-881-2018 titled as 'Major Singh vs. Amritpal Kaur and others' with consequential proceedings are quashed against all the accused on the basis of settlement.

7. An application bearing No.CRM-53324-2023 has also been moved to place on record copy of the settlement/agreement (Annexure A-1). Another application bearing No.CRM-53327-2023 has been moved to prepone the case.

8. Learned counsel for the respondents has also appeared and has no objection in allowing both the applications.

9. Application bearing No.CRM-53324-2023 is allowed.

10. Annexure A-1 is taken on record.

11. Considering the fact that matter has been settled amongst the parties, so as to resolve all the pending dispute amongst them, the main petition i.e. CRM-M-43628-2023 is preponed.

12. Application bearing No.53327-2023 is allowed accordingly.

13. The main petition is taken on board.

14. In view of all these circumstances as have been discussed above, petition is accepted and complaint bearing No.COMI/881/2018 dated 08.10.2018 (Annexure P-11) titled 'Major Singh v. Amritpal Kaur and ors.' and summoning order dated 24.07.2023 (Annexure P-12) vide which the

petitioners have been summoned to face trial under Sections 448 & 506 of the IPC and all subsequent proceedings arising therefrom, are quashed qua the petitioners.

December 20, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No