

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1.

CRM-M-54865-2022
2023: PHHC: 161365

Amritpal Kaur

. . . .

Petitioner

Vs.

State of Punjab and another

. . . .

Respondents

2.

CRM-M-40138-2023
2023: PHHC: 161368

Major Singh and another

. . . .

Petitioners

Vs.

State of Punjab

. . . . Respondent

3.

CRM-M-52004-2023
2023: PHHC: 161369

Major Singh

. . . .

Petitioner

Vs.

The State of Punjab

. . . . Respondent

Reserved on: 14.12.2023
Pronounced on: 15.12.2023

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Veneet Sharma, Advocate,
for the petitioner (in CRM-M-54865-2022)
for the complainant-Amritpal Kaur.

Mr. G.S. Bajwa, Advocate,
for the petitioners (in CRM-M-40138 & 52004-2023).
for respondent No.2 (in CRM-M-54865-2022)

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.

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 discord between the parties led to various kinds of litigation filed against each other, including FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC [Section 120B IPC added later on] lodged at the instance of Major Singh; and DDR/GD No.33 dated 14.12.2022 in the aforesaid FIR, lodged by Amritpal Kaur.

3. (a) Prayer in **CRM-M-54865-2022** titled *Amritpal Kaur Vs. State of Punjab & another*, filed under Section 482 CrPC, is to quash above stated FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC, which was lodged on the complaint of respondent No.2 - Major Singh.

(b) On the other hand, Major Singh (*respondent N: 2 in CRM-M-54865-2022*) and his son Sukhchain Singh filed **CRM-M-40138-2023** titled *Major Singh and another Vs. State of Punjab*, under Section 482 CrPC, seeking quashing of DDR/GD No.33 dated 14.12.2022 arising out of aforesaid FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC [Section 120B IPC added later on].

(c) **CRM-M-52004-2023** titled *Major Singh Vs. The State of Punjab* has been filed by Major Singh under Section 438 CrPC, praying for grant of anticipatory bail in the aforesaid FIR No.106 dated 11.06.2022.

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, both the parties have agreed for quashing of the FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC [Section 120B IPC added later on], besides DDR/GD No.33 dated 14.12.2022 connected therewith. Other terms and conditions of the settlement/agreement are also incorporated in the settlement/agreement.

7. Counsels for both the parties have prayed this Court to allow the two petitions i.e., **CRM-M-54865-2022** titled **Amritpal Kaur Vs. State of Punjab and another** and **CRM-M-40138-2023** titled **Major Singh and another Vs. State of Punjab**, in view of the Settlement/agreement dated 19.10.2023, arrived at between the parties, in order to put an end to the matrimonial disputes between the two families forever.

8. Necessary applications [CRM-50542-2023 & CRM-50543-2023 in CRM-M-54865-2022; *AND* CRM-50274-2023 & CRM-50275-2023 in CRM-M-40138-2023] were also moved to take on record the Settlement/ agreement dated 19.10.2023 arrived at between the parties before the Mediation and Conciliation Centre of this Court and also for directing the parties to get their statements recorded before the trial Court.

9. Settlement/agreement dated 19.10.2023 [Annexure A1 – original in CRM-M-54865-2022] arrived at between the parties before the Mediation and Conciliation Centre of this Court is taken on record.

10. Since, the settlement has been executed between the parties before the Mediation and Conciliation Centre of this Court, this Court does not feel any necessity for directing the parties to appear before the trial Court concerned for getting their statements recorded regarding the compromise/ settlement.

11. The applications CRM-50542-2023 & CRM-50543-2023 in CRM-M-54865-2022; *AND* CRM-50274-2023 & CRM-50275-2023 in CRM-M-40138-2023 are disposed of accordingly.

12. In view of all the circumstances above, both the petitions i.e., **CRM-M-54865-2022** titled *Amritpal Kaur Vs. State of Punjab and another* and **CRM-M-40138-2023** titled *Major Singh and another Vs. State of Punjab* are allowed. FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC [Section 120B IPC added later on]; and DDR/GD No.33 dated 14.12.2022 arising out of the aforesaid FIR along with all the consequent proceeding arising therefrom, are hereby quashed, in view of the Settlement/agreement dated 19.10.2023 (Annexure A1) arrived at between the parties before the Mediation and Conciliation Centre of this Court. Both parties shall be bound to abide by the terms and conditions settled between them vide Annexure A1.

13. Since FIR No.106 dated 11.06.2022 registered at Police Station Ranjit Avenue, Amritsar City, District Amritsar, under Sections 420/465/468/471 IPC [Section 120B IPC added later on], has been quashed as per the aforesaid order passed in CRM-M-54865-2022 titled Amritpal Kaur Vs. State of Punjab and another and CRM-M-40138-2023 titled Major Singh and another Vs. State of Punjab, therefore, **CRM-M-52004-2023** titled **Major Singh Vs. The State of Punjab**, whereby Major Singh has sought anticipatory bail, is hereby disposed of, having been rendered infructuous.

Pending application(s), if any, stands disposed of.

A photocopy of this order be placed on the files of other connected cases.

15.12.2023

Vivek

(DEEPAK GUPTA)

JUDGE

1. Whether speaking/reasoned?

Yes

2. Whether reportable?

No