

265.

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

**CRM-M-11562-2015**

Date of decision:08.08.2016

Sanjay Bansal and others

... Petitioners

versus

Salinder Singh

.... Respondent

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. Rajesh Sharma, Advocate,  
for Mr. Harkesh Manuja, Advocate,  
for the petitioners.

Mr. Tarun Dhingra, Advocate,  
for the respondent.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of Criminal Complaint No.104/01.02.2012 (Annexure P-1), titled as Salinder Singh Versus Sanjay Bansal and others, pending in the Court of Presiding Officer, Special Court, under Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Kurukshetra and all subsequent proceedings arising therefrom on the basis of compromise dated 21.01.2015 (Annexure P-5) arrived at between parties before the Mediation and Conciliation Centre of this Court.

Learned counsel for the petitioners states that vide compromise dated 21.01.2015 as entered between parties before the Mediation and Conciliation Centre of this Court, the matter has been resolved.

This court vide orders dated 21.07.2015, 01.03.2016 and 03.05.2016 had directed the parties to appear before the trial Court to get

their statements recorded and learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid orders, the parties have appeared before the learned Additional & Sessions Judge, Kurukshetra and got their statements recorded. On the basis of the statements so recorded, learned Additional District & Sessions Judge, Kurukshetra has submitted the report dated 26.05.2016 to the effect that the compromise effected between parties is genuine, voluntarily and without any pressure, fear or undue influence.

Respondent-complainant, namely, Salinder Singh has made his statement with regard to the compromise before learned Magistrate on 12.05.2016. The same is being reproduced as under:-

“I have seen the settlement agreement dated 21.01.2015 Ex.C1. The said settlement was made by me voluntarily, without any pressure or undue influence. The said settlement has been duly signed by me on every page and even at the end. The said settlement is admitted and is correct. I have received the sum of ₹2,50,000/- and ₹1,85,685/- from the other party by account payees cheques. Except for the present complaint all the remaining cases between the parties have been settled and withdrawn. I do not want to proceed further with this case. The dispute has been amicably settled. I am satisfied with the response of the other party. Today, I have made the settlement in the Court without any pressure, coercion, fear or undue influence from any quarter.”

Learned counsel for the respondent fairly admits the factum of compromise arrived at between parties before the Mediation and Conciliation Centre of this Court.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the Criminal Complaint No.104/01.02.2012 (Annexure P-1).

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and**

another 2007 (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in Gian Singh Versus State of Punjab and others (2012) 10 SCC 303, this petition is allowed and Criminal Complaint No.104/01.02.2012 (Annexure P-1), titled as Salinder Singh Versus Sanjay Bansal and others, pending in the Court of Presiding Officer, Special Court, under Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Kurukshetra alongwith all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 21.01.2015 (Annexure P-5) arrived at between the parties before the Mediation and Conciliation Centre of this Court.

**(HARI PAL VERMA)**  
**JUDGE**

08.08.2016  
sanjeev

Whether speaking/reasoned  
Whether Reportable:

Yes/No.  
Yes/No.