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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32296-2016

Date of Decision : May 03, 2019

Suraj Bhan

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Sanjay Kaushal, Senior Advocate,
with Mr. Arun Shukla, Advocate,
for the petitioner.

Mr. D.K. Mittal, DAG, Haryana,
for respondent-State .

None for respondent No.2.

SHEKHER DHAWAN, J.

Present petition under Section 482 of the Code of Criminal Procedure is for quashing of Complaint dated 20.07.2015 made by respondent no.2 under Section 340 Cr.P.C. in case No. 166/15 titled - **State Vs. Jyoti and Sham Lal** before learned Judicial Magistrate Ist Class, Panipat, on the basis of compromise deed dated 26.02.2016 and statement made by respondent No.2/complainant dated 16.08.2016.

2. Learned senior counsel for the petitioner contended that respondent No.2 and his wife Jyoti had filed various complaints and now vide Compromise Deed dated 26.02.2016 (Annexure P/3), they have decided to amicably settle the dispute and withdraw all the cases filed

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against each other and by now different litigation have already been withdrawn. Learned senior counsel has also taken the plea that no useful purpose would be served in continuing the criminal proceedings as the parties have compromised the dispute.

3. On the basis of that, on 24.1.2018, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise between the parties.

4. In compliance thereof, report from the Judicial Magistrate Ist Class, Panipat through District and Sessions Judge, Panipat has submitted the report that complainant-Sanjeev Kumar (respondent No.2 herein) appeared before the Court and made the statement that no compromise has been effected between him and present petitioner, Suraj Bhan and he does not want to enter into any compromise with Suraj Bhan.

5. In view of the above report having been submitted by learned Judicial Magistrate Ist Class, Panipat on the basis of statement made by Sanjeev Sharma, respondent No.2 herein on 7.7.2018 before the trial Court, the present petition for quashing of complaint on the basis of compromise is without any merit and the same stands dismissed.

(SHEKHER DHAWAN)
JUDGE

May 03, 2019

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Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes