

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

CRM-M-28781 of 2023

Date of decision : September 25, 2023

Sukhdev Singh and others

..... Petitioners

Versus

Veerpal Kaur

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present :-Mr. Priyanshu Kamra, Advocate
for the petitioners.

Mr. Chahat Goyal, Advocate
for the respondent.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of Complaint No. COMI-163-2013 titled 'Veerpal Kaur Vs. Sukhdev Singh and others' (CNR No. PBSMA 10001192012) under Sections 450, 451, 452, 363, 392, 395, 120-B and 323 IPC pending in the court of learned SDJM, Gidderbaha (Annexure P-1) and also for quashing charge-sheet dated 14.05.2019 vide which charges were framed under Sections 452, 363 read with Section 34 IPC (Annexure P-2) on the basis of compromise dated 06.04.2023 (Annexure P-3).

This Court vide order dated 01.06.2023 had directed the parties to appear before the trial Court/Area Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned SDJM, Gidderbaha, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted

report dated 06.09.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned counsel for the respondent has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant Complaint.

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 Complaint No. COMI-163-2013 titled 'Veerpal Kaur Vs. Sukhdev Singh and others' (CNR No. PBSMA 10001192012) under Sections 450, 451, 452, 363, 392, 395, 120-B and 323 IPC pending in the court of learned SDJM, Gidderbaha (Annexure P-1) and also for quashing charge-sheet dated 14.05.2019 vide which charges were framed under Sections 452, 363 read with Section 34 IPC (Annexure P-2) on the basis of compromise dated 06.04.2023 (Annexure P-3), are quashed.

(DEEPAK GUPTA)
JUDGE

September 25, 2023
archana

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No