

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

CRM-M-48402-2022
Decided on : 27.03.2023

Rajat Miglani and others

..... Petitioners

Versus

Vijay Kumar

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Maninder Arora, Advocate
for the petitioners.

Mr. Vikram Preet Arora, Advocate
for the respondent.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC for quashing of CrI. Complaint No.COMA/1/2014 dated 16.01.2014 under Sections 3 & 4 of SC & ST Act, 1989 and all the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-3) arrived at, between the parties.

Vide order dated 30.11.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within a period of 30 days to get their statements recorded regarding the compromise arrived at, between them.

Report dated 23.12.2022 has since been received from the learned Addl. District & Sessions Judge, Kapurthala in pursuance of the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free

will. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and the respondent is the only aggrieved person in the complaint in question.

In view of the report of the learned Addl. District & Sessions Judge, Kapurthala and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid Crl. Complaint and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

27.03.2023

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No