

Sr. No.300(02)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21820-2022
Date of decision: 23rd January, 2024

SANJEEV KUMAR JAIN AND OTHERSPetitioners

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Inder Pal Singh, Advocate
for the petitioners.

Mr. Kunwarbir Singh, AAG, Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of complaint case bearing No. COMI-82 dated 22.11.2018, under Sections 323, 341, 506, 34, 148, 149, 354 IPC, filed before Judicial Magistrate First Class, Dasuya, District Hoshiarpur, Punjab (Annexure P-1).

[2] On 04.08.2022, following order was passed by the Coordinate Bench:-

“xxxxxxx

Counsel for the petitioners submits that an altercation took place between the parties, who are related, because there was a dispute amongst them regarding posts of office bearers of a Jain Temple. He submits that the dispute, which is private in nature, has been settled by virtue of compromise, Annexure P-2.

Notice of motion.

On asking of the Court, Mr. A.S. Gill, Senior DAG accepts notice on behalf of State-respondent No.1.

Mr. Ravi Chadda, Advocate has put in appearance and accepts notice on behalf of complainant-respondent No.2. He has admitted the factum of compromise and does not dispute the statement made by counsel for the petitioners.

The parties and the Investigating Officer are directed to appear before the Area Magistrate/Trial Court on 23.08.2022 or on any date thereafter as fixed by the trial Court, for getting their statements recorded with regard to the compromise.

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[3] The present complaint was registered at the instance of respondent No.2/complainant with the allegations that on 30.08.2018, at about 5:30 PM, when she went to Jain Temple with her children, the petitioners/accused started threatening her and outraged her modesty and when she tried to report the said incident to the local police, they refused to lodge her report.

[4] As per the report received from Judicial Magistrate First Class, Dasuya, the criminal complaint is pending at the stage of pre-charge evidence. The statement of the parties has been recorded and the parties have effected a compromise, which is mutual, voluntary and on the basis of an amicable settlement. No criminal case is pending against the accused/petitioners.

[5] Since the parties are living in the same place and they have resolved their dispute, proceeding with the present complaint would not be in the interest of the parties, as such, in order to secure the ends of justice, the proceedings initiated on the basis of complaint case bearing No. COMI-82 dated 22.11.2018, under Sections 323, 341, 506, 34, 148, 149, 354 IPC, filed before Judicial Magistrate First Class, Dasuya, District Hoshiarpur, Punjab (Annexure P-1), is quashed.

[6] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23rd January, 2024
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*