

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29303 of 2023

Date of decision: 1st April, 2024

Surinder Singh Bains

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Malkiat Singh Hundal, Advocate for the petitioner.

Mr. Iqbalpreet Singh, Asst. Advocate General, Punjab
for the respondent/State.

Mr. Rakshak Gupta, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of complaint case NACT 664/2018 dated 27.08.2018 titled as 'Ranjit Singh vs. Bains Trading Company & others' (Annexure P-1) along with all consequential proceedings arising therefrom including order dated 06.05.2022 (Annexure P-2) vide which the petitioner was declared proclaimed offender, on the basis of compromise/statement of respondent No.2 (Annexure P-3).

2. Vide order dated 02.06.2023 passed by a Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Hoshiarpur, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the

parties stands verified and confirmed. 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 and the complainant has also made statement to the effect that he would have no objection if the complaint qua the accused-petitioner is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the complaint in question.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Hoshiarpur 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 v. State of Punjab and another**’ 2007 (3) RCR (Criminal) 1052, the instant petition is allowed. The aforesaid complaint (Annexure P-1) and all consequential proceedings arising out of it qua the petitioner including the impugned order (Annexure P-2), are quashed.

7. 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

April 1, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No