



Sr. No.277

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

CRM-M-29253-2024
Date of decision: 12th September 2024

SIMRAT PALPetitioner

versus

SWEETYRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Sarthak Mehta, Advocate for
Mr. Varun Dhawan, Advocate
for the respondent/complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of Criminal Complaint No.61/2020 dated 26.10.2020, under Sections 406, 498-A IPC, 1860 (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 20.05.2024 (Annexure P-3), executed between the parties.
2. This Court, vide order dated 19.06.2024, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.
3. Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate Ist Class, Chandigarh and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 14.08.2024 with the following observations:-



“xxx xxx xxx xxx

(i) It is humbly submitted that no other criminal case is pending against the parties to the present case.

(ii) It is humbly submitted that no proclamation proceedings are pending against the parties to the present case.

(iii) As per the statement of the complainant and accused, no proclamation proceedings have been initiated against any of the parties to the present complaint.

(iv) From the statements of the parties, it appears that the compromise deed dated 20.05.2024 executed between them is genuine and voluntary, the same is not the result of any fraud and misrepresentation and has been arrived at between the parties without any undue influence or pressure.

(v) The complainant Sweety has no objection if the above-said criminal complaint and the above-said consequential proceedings are quashed against the accused Simrat Pal in view of the compromise entered into between the parties.

xxx xxx xxx xxx”

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

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

6. 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**, the present petition is allowed and Criminal Complaint No.61/2020 dated 26.10.2020, under Sections 406, 498-A IPC, 1860 (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioner.



7. However, the respondent/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 20.05.2024 (Annexure P-3) are violated.
8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

12th September 2024
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>