

**Sr. No.301****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-35442-2024 (O&M)****Date of decision: 12th November 2024****SACHIN JINDAL AND OTHERS****.....Petitioners****versus****STATE OF PUNJAB AND ANOTHER****.....Respondents****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Ishan Thakur, Advocate
for respondent No.2/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 FIR No.16 dated 03.02.2023, under Sections 498-A and 406 IPC, 1860, registered at Police Station Sardulgarh, District Mansa (Annexure P-2) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 28.05.2024 (Annexure P-4), executed between the parties.

2. The parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded and report *qua* the genuineness of the compromise was sought from the trial Court/Illaq Magistrate vide order dated 07.08.2024.

3. Pursuant to the aforesaid order, the parties have appeared before the Sub-Divisional Judicial Magistrate, Sardulgarh and got their statements



recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 17.09.2024 with the following observations:-

“(i) From the statements of the parties, this Court is satisfied that the compromise dated 28.05.2024, effected between the parties, is genuine, voluntary and with free will of the parties.

(ii) The complainant, all the injured/victim and all the accused persons are party to the compromise.

(iii) As per the statement of ASI Maya Ram, there are only 04 accused arrayed in the present FIR.

(iv) None of the accused has been declared as Proclaimed Offender.

(v) After registration of the FIR, no offence was added or deleted during investigation.

(vi) Neither any investigation is pending against any accused nor any accused has been declared as innocent during the investigation.”

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

4.1 Learned State counsel has filed status report dated 20.10.2024, by way of an affidavit of Sh. Manjeet Singh, PPS, Deputy Superintendent of Police, Sub-Division Sardulgarh, District Mansa, on behalf of respondent-State, which is taken on record.

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



10 SCC 303, the present petition is allowed and FIR No.16 dated 03.02.2023, under Sections 498-A and 406 IPC, 1860, registered at Police Station Sardulgarh, District Mansa (Annexure P-2) and all subsequent proceedings arising therefrom, are ordered to be quashed qua the petitioners.

7. However, the respondent No.2/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 28.05.2024 (Annexure P-4) are violated.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

12th November 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No