



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

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CRM-M-44212-2024

Date of decision: 21.11.2024

Niharika Sahni

.....Petitioner

Versus

Rai Yuvraj Singh Bains

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Bhavi Kapur, Advocate for the petitioner.

Mr. Mukul Singla, Advocate for the respondent.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of Criminal Complaint bearing COMI No.264 of 2019 titled as 'Rai Yuvraj Singh Vs. Niharika Sahni' dated 18.04.2019 as well as summoning order dated 06.05.2023 passed by learned Judicial Magistrate 1st Class, Ludhiana whereby the petitioner has been summoned to face trial under Sections 406, 420, 465, 467, 468, 471 of the IPC along with Sections 63 and 68-A of the Copy Right Act, and all consequential proceedings arising out of the same, on the basis of compromise dated 20.04.2024 (Annexure P/3) arrived at, between the parties.

2. Vide order dated 19.09.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 18.10.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Ludhiana, in pursuance of the directions of this



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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 in question *qua* the accused-petitioner is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel too submits that there is 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 Ist Class, Ludhiana and the principles laid down by Hon'ble 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 Complaint and all consequential proceedings arising out of it, including summoning order, are quashed qua petitioner.

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

21.11.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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