

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51840-2023
Date of decision: 08.02.2024

Jaskaranjit Singh and othersPetitioners.

Versus

State of Punjab and anotherRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Raman Singla, Advocate,
for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Karan Garg, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

[1]. Instant petition has been preferred under Section 482 Cr. PC seeking quashing of the complaint (Annexure P-5) along with the summoning order dated 29.10.2022 (Annexure P-6) passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, District Kapurthala and all other subsequent proceedings arising therefrom on the basis of compromise dated 27.07.2023 (Annexure P-3). Details of the complaint are as under: -

Complaint No.	Dated	Sections	Police Station
32/2022	27.07.2022	307, 323, 324, 441, 325, 326, 427, 506, 148 and 149 IPC	P.S. Sultanpur Lodhi, District Kapurthala

[2]. Learned counsel for the petitioners submits that FIR No. 320

been registered at Police Station Sultanpur Lodhi, District Kapurthala, but during the course of proceedings, offence under Section 307 was not made out, accordingly, complainant had instituted the above captioned complaint (Annexure P-5). It is further submitted that parties have already sought quashing of the aforesaid FIR and general diary by way of CRM-M-41305-2023 and CRM-M-41747-2023.

[3]. Learned counsel for the petitioners further submits that with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise dated 27.07.2023 (Annexure P-3), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties.

[4]. Learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, vide report dated 10.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[5]. Respondent No. 2 is represented by her counsel and does not dispute the factual matrix of the case as well as the compromise (Annexure P-3)

[6]. In view of the aforesaid report of learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the

proceedings pending, since respondent No. 2 has herself compromised the dispute with the petitioners.

[7]. In the circumstances, the present petition is allowed. Complaint No. 32 dated 27.07.2022 under Sections 307, 323, 324, 441, 325, 326, 427, 506, 148 and 149 IPC, registered at Police Station Sultanpur Lodhi, (Annexure P-1) along with the summoning order dated 29.10.2022 (Annexure P-6) passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, and all subsequent proceedings arising therefrom, are hereby quashed on the basis of compromise (Annexure P-3) qua the present petitioners.

08.02.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |