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

CRM-M-50273-2024

Date of Decision: 08.11.2024

JAGDEEP SINGH AND OTHERS**... PETITIONERS****VS.****NAVJEET KAUR****.. RESPONDENT****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Vipin Mahajan, Advocate
for the petitioners.

Mr. Randeep Singh, Advocate for
Mr. Vishal Munjal, Advocate
for the respondent.

HARPREET KAUR JEEWAN, J.(ORAL)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing criminal complaint No.COMI-165 dated 23.08.2022, titled as “Navjeet Kaur vs. Jaspal Singh and Others” (Annexure P-1) as well as summoning order dated 17.07.2023, under Sections 498-A, 406 IPC, 1860 (Annexure P-2), on the basis of compromise deed (Annexure P-3), 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 genuineness of the compromise was sought from trial Court/Illaq Magistrate vide order dated 18.10.2024

3. Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate Ist Class, Batala and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report with the following observations:-



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1. After considering the statements of the parties, this Court is of the view that the compromise between the parties in the present case is genuine, voluntary and without any coercion or undue influence.

2. As per the statement of the parties, there is only one complainant/injured/victim namely Navjeet Kaur W/o Jagdeep Singh and three accused namely (I) Jagdeep Singh S/o Jaspal Singh, (II) Jaspal Singh S/o Ganga Singh and (III) Gurjit Kaur W/o Ranbir Singh D/o Jaspal Singh, in the present case who have effected compromise between themselves as stated by them in their statements recorded today.

3. As per record, none of any other person has been nominated as additional accused in the present case.

4. As per the statement of the accused and as per record, none of them has been declared proclaimed offender.

5. As per record, since the accused were summoned for the commission of alleged offences punishable u/s 498-A, 406 IPC in the present complaint and thereafter, no other offence has been added or deleted.

6. As per record, the investigation is not pending against any of the accused. Further, none of the accused has been declared innocent.

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4. Learned counsel for the respondent 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 aforesaid complaint

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

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and Others” (Annexure P-1) as well as summoning order dated 17.07.2023, under Sections 498-A, 406 IPC, 1860 (Annexure P-2), on the basis of compromise deed (Annexure P-3), executed between the parties are ordered to be quashed qua the petitioners.

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

08.11.2024
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(HARPREET KAUR JEEWAN)
JUDGE