



Sr. No.304

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

CRM-M-64254-2023
Date of decision: 07th August 2024

VASEEM SIDANAPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Kuljit Singh, Advocate
for respondent No.2.

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.78 dated 06.08.2015, under Section 498-A IPC, 1860, registered at Police Station City Batala, District Batala (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 06.12.2023 (Annexure P-2), executed between the parties.
2. This Court, vide order dated 20.12.2023, 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, Batala and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 15.06.2024 with the following observations:-



“xxx xxx xxx xxx”

1. *As per statements of parties, compromise has been effected between the parties. Compromise appears to be genuine, voluntary, without any coercion or undue influence and same is the result of free will of parties.*
2. *As per statement of ASI Dilbagh Singh, Belt No. 1954/BTL, presently posted at Police Station City Batala, the complainant/injured/victim and accused Vaseem Sidana son of Rajesh Kumar Sidana, are party to the compromise.*
3. *As per statement of ASI Dilbagh Singh, during investigation, no any additional accused has been added.*
4. *As per record of ASI Dilbagh Singh, no accused is proclaimed offender.*
5. *As per record of ASI Dilbagh Singh, after registration of FIR, the offence under Section 406 of IPC was added vide Rapt No. 16 dated 22.05.2016, during the investigation.*
6. *As per record of ASI Dilbagh Singh, investigation is not pending against any of the accused and no accused has been declared as innocent.*

xxx xxx xxx xxx”

4. Learned State counsel as well as counsel for respondent No.2 have no objection with the acceptance of the present petition.
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 FIR No.78 dated 06.08.2015, under Section 498-A IPC, 1860, registered at Police Station City Batala, District Batala (Annexure P-1) and all



subsequent proceedings arising therefrom are ordered to be quashed qua the petitioner.

7. However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 06.12.2023 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

07th August 2024
simran

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