



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

290

CRM-M-5841-2025(O&M)
Date of Decision: 19.03.2025

USHA DEVI

....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Abhinav Rawat, Advocate for
Mr. Namit Khurana, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Abhinav Kalia, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of Complaint bearing COMI/72/2016 dated 06.05.2016 as well as impugned summoning order dated 10.08.2022 passed by learned Judicial Magistrate First Class, Yamuna Nagar at Jagadhri, vide which the petitioner has been summoned for commission of offences punishable under Sections 406, 420 & 506 of IPC and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.01.2025 (Annexure P-3).

2. This Court vide order dated 11.02.2025 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, parties have appeared before learned Chief Judicial Magistrate, Yamuna Nagar at Jagadhri and got their



statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.02.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have 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 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*, this petition is allowed and quashing of Complaint bearing COMI/72/2016 dated 06.05.2016 as well as impugned summoning order dated 10.08.2022 passed by learned Judicial Magistrate First Class, Yamuna Nagar at Jagadhri, vide which the petitioner has been summoned for commission of offences punishable under Sections 406, 420 & 506 of IPC and all subsequent proceedings arising therefrom on the basis of compromise dated 23.01.2025 (Annexure P-3) are quashed qua the petitioner.

(MANISHA BATRA)

JUDGE

19.03.2025

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No