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291 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-31916-2024 (O&M)

Date of Decision: 20.02.2025

TEJBIR AND OTHERS

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sameer Singh, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG Haryana.

Mr. Vikas Nagpal, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. The petitioners have filed present petition under Section 482 Cr.P.C. for quashing of complaint bearing No. COMI/2631/2013 titled "Premo Versus Tejbir etc." (Annexure P-1) and judgment dated 12.04.2018 and order of sentence dated 16.04.2018 passed by learned Judicial Magistrate Ist Class, Karnal (Annexure P-2), on the basis of compromise deed and affidavit dated 17/21.05.2024 and to quash all consequential proceedings arising out of said complaint.

2. The following order was passed on 08.07.2024:

"The petitioners Tejbir, Darshna Devi, Birmati, Sarla and Kesho have filed petition under Section 482 Cr.P.C. for quashing of complaint bearing No. COMI/2631/2013 titled "Premo Versus Tejbir etc." (Annexure P-1) vide which petitioners have been convicted vide judgment dated 12.04.2018 passed by learned Judicial Magistrate Ist Class, Karnal (Annexure P-2), on the basis of compromise deed and affidavit dated 17/21.05.2024 and



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to quash all consequential proceedings arising out of said complaint. There is a further prayer for setting aside judgment dated 12.04.2018 passed by learned JMIC, Karnal in view of aforesaid compromise.

Notice of motion.

Mr. Vikas Nagpal, Advocate appears and filed power of attorney on behalf of respondent No. 2, which is taken on record. Let the statements of private parties be recorded with regard to the compromise on 16.07.2024 before the learned Additional Sessions Judge, Karnal or on any early date convenient to the said Court. In the event of their statements being recorded, the Court will send copies of the same to this Court before the next date of hearing along with its report; 1. The number of accused in the aforesaid complaint and to report whether any of the accused has been declared proclaimed offender(s) or any such proceedings have been initiated or pending against them.

2. Whether the compromise entered between the parties is genuine, voluntary without any coercion or undue influence.

3. Status of pending appeal.

To await the report, list again on 07.08.2024.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala**

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Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052, this petition is allowed and complaint bearing No. COMI/2631/2013 titled “*Premo Versus Tejbir etc.*” (Annexure P-1) along with judgment of conviction and order on quantum of sentence dated 12.04.2018/16.04.2018 passed by learned Judicial Magistrate Ist Class, Karnal (Annexure P-2) along with all subsequent proceedings arising therefrom are quashed/set aside, qua the petitioners.

20.02.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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