



HARPREET SINGH BRAR, J. (ORAL)

1. This order of mine shall dispose of all the afore-mentioned petitions as all are arising out of the same complaint. For the sake of brevity, facts are taken from *CRM-M-44680-2024* titled as ***Ramesh Kumar Jain and Others vs. Sanmati Vimal Jain Public School, Jagraon.***

2. This petition has been filed under Section 528 of BNSS (read with Section 482 Cr.P.C) praying for quashing of criminal complaint bearing complaint titled “Sanmati Vimal Jain Vs. Ramesh Kumar Jain & Others” bearing No.31/1 (COMI-34821-2013) dated 30.01.2004 as well as the subsequent summoning order dated 14.06.2004 passed by the Court of learned Sub Divisional Judicial Magistrate, Jagraon whereby the petitioners have been summoned to face trial for the offences punishable under Sections 420, 465, 467, 468, 469, 471 & 120-B of IPC along with all the subsequent proceedings emanating therefrom, on the basis of compromise/memorandum of settlement dated 21.07.2024 (Annexure P-3).

2. The following order was passed on 02.12.2024 :-

“Through the instant petition, prayer is made for quashing of Criminal complaint titled “Sanmati Vimal Jain Vs. Ramesh Kumar Jain and others” bearing No.31/1 (COMI-34821-2013) of 30.1.2004 (Annexure P-1) as well as the subsequent summoning order dated 14.6.2004 passed by the learned Judicial Magistrate 1st Class, Ludhiana, whereby, the petitioners have been summoned to face trial for the offences punishable under Sections 420, 465, 467, 468, 469, 471 and 120-B IPC alongwith all the subsequent proceedings enumerating therefrom, on the basis of compromise/memorandum of settlement dated 21.7.2024 (Annexure P-3).

Notice of motion.



Mr. Chanakya Batta, Advocate has filed memo of appearance on behalf of the respondent and has submitted that he has no objection in case the FIR(supra) is quashed on the basis of compromise (Supra). He is permitted to file Vakalatnama before the Registry of this Court within a week from today.

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned to get his statement recorded regarding compromise.

To come up on 30.1.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.”

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



**CRM-M-44680-2024
& 03 connected cases**

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Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 46*, and *Shakuntala 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*, all petitions are allowed and criminal complaint bearing complaint titled "Sanmati Vimal Jain Vs. Ramesh Kumar Jain & Others" bearing No.31/1 (COMI-34821-2013) dated 30.01.2004 as well as the subsequent summoning order dated 14.06.2024 passed by the Court of learned Sub Divisional Judicial Magistrate, Jagraon whereby the petitioners have been summoned to face trial for the offences punishable under Sections 420, 465, 467, 468, 469, 471 & 120-B of IPC and all consequential proceedings arising out of the same are quashed, qua the petitioners.

5. A photocopy of this order be placed on the file of other connected cases.

May 22, 2025
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(HARPREET SINGH BRAR)
JUDGE

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