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

CRM-M-59215-2024

Date of Decision: 04.02.2025

HARSH SACHDEVA AND ORS

...Petitioner(s)

VERSUS**STATE OF PUNJAB AND ORS**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Liaqat Ali, Advocate
for the petitioners.

Mr. Sajida Akhtar, Advocate for
Mr. Prem Nath, Advocate for respondent Nos.2 to 4.

Mr. Jasdeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 02.08.2024 (Annexure P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station	District
107	16.07.2024	108 BNS, 2023	Tibba	Police Commissionerate

2. Counsel for the petitioner contends that though required ingredients to constitute an offence punishable under Section 306 of IPC are completely missing out from the present case yet the proceedings can be finished because the



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complainant i.e. respondent Nos.2 to 4 have resolved the issue, removed their doubts and thus have settled to agree for quashing of the proceedings of the present case.

3. Learned counsel appearing on behalf of respondent Nos.2 to 4 also endorsed the factum of settlement between the parties and states that he has no objection in case proceedings are set aside.

4. On the other hand, status report dated 03.02.2025 by way of affidavit of Sumit Sood, PPS, Assistant Commissioner of Police (East), Ludhiana has been filed on behalf of respondent No.1-State, the same is taken on record. Learned State counsel submits that after investigation of the case, a cancellation report was prepared and the same has been approved by ACP East Ludhiana.

On presentation of cancellation report to the Court, complainant got recorded her statement of being satisfied with the cancellation report and thereupon, petitioner No.4 who was in custody was discharged on 22.08.2024.

5 Rejecting the proposal of cancellation of the case, learned Magistrate again sent it for further examination and then to submit a final report. In the subsequent investigation also deceased Deepak Kumar was found to be under depression due to his family circumstances and, therefore, it was concluded that the deceased ended his life because of his family circumstances and no one responsible for that.

Again a cancellation report has been prepared on 25.01.2025 by SHO PS Tibba, Ludhiana, and the same is likely to be presented very soon to the concerned Court.

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6. Thus, by stating the aforementioned facts from the status report and also on instructions from the investigating officer, counsel for the petitioners submits that petition can be disposed of by issuing appropriate directions.

7. Considering all the facts and circumstances, this Court is of the view that this is not the stage on which the issue of entering into compromise requires to be decided and, therefore, State of Punjab is directed to submit cancellation report within one month from today and in that eventuality, learned Magistrate concerned is also directed to take a final decision on the cancellation report within two months thereafter, in accordance with law.

Petition stands disposed of.

8. However it is made clear that it would be open for the petitioners to file a separate and independent petition, in case, any cause arises to them in future.

(SANJAY VASHISTH)
JUDGE

February 04, 2025
Sangeeta

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**