

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-13632 of 2015
Date of decision : April 29, 2015

Pallavi Giri and others

...Petitioners...

versus

State of Haryana

...Respondent...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Saurabh Dalal, Advocate,
for the petitioners.

JASPAL SINGH, J.

This petition has been preferred under Section 482 of the Code of Criminal Procedure by petitioners seeking quashing of FIR No. 1235, dated 28.11.2014, under Sections 376 and 506 of IPC, registered at Police Station City Gurgaon and any other proceedings arising out of it, on the basis of compromise (Annexure P-1).

2. Instant case stands registered on the basis of written complaint lodged by Pallavi Giri, d/o Jagdish Rai Giri, unfolding that she came to Gurgaon, in connection with job and started residing at House No. 16, Sector 10-A as paying guest (for short, 'PG') where she came in contact with Mandeep Beniwal, resident of Malikpur, Tehsil Beri, District Jhajjar, who took her to Om Nagar Gurgaon in a room, subjected to fornication forcibly against her wishes and consent. Subsequent thereto, he subjected her to sexual assault at

Sham Hospital opposite to Haldiram and, thereafter, he kept her in the house of Sukbir Kataria, by projecting her as his wife for around six months. Thereafter, she shifted near bus stand in PG accommodation then Mandeep Beniwal also raped her in a rented room in the area of Patel Nagar. Though, earlier he agreed to marry her but now, he has refused to solemnize marriage with her and started extended threats to eliminate her as well as her family. On these grounds, FIR was registered and investigation was put into motion.

3. The contention of learned counsel for petitioners is that dispute between the parties stood amicably settled with the intervention of respectables as well as relatives of the parties. A compromise dated April 25, 2015 (Annexure P-1) has already been reduced in writing and in pursuance of said compromise, instant petition has been moved for quashing of FIR in question.

4. Here, it would be pertinent to mention that by now, it is well-neigh settled that power of quashing FIR is not to be exercised in those prosecutions which involved heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc., as such, offences are not private in nature and have a serious impact on society.

5. To buttress the second proposition of law, we can have the reference of latest pronouncement of Hon'ble Apex Court captioned as '**Narinder Singh vs. State of Punjab**', 2014 (2) RCR (Criminal) 482.

6. Keeping in view the contents of FIR referred to above in para No.2 of this judgment as well as latest proposition of law, this Court does not find any merit in the instant petition. Accordingly, petition stands dismissed.

April 29, 2015
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(JASPAL SINGH)
JUDGE