

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

**Crl. Misc. No.M-28141 of 2015
Date of decision : 15.12.2015**

Tejinder Singh @ Sahbi

.....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vishal Munjal, Advocate
for the petitioner.

Mr. Sidakmeet, AAG, Punjab.

Mr. Vipin Mahajan, Advocate
for respondent no.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.87 dated 03.11.2014 registered under Sections 376, 511, 452, 506 IPC, Police Station Bhaini Mian Khan, District Gurdaspur and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

The prosecutrix is said to be a married woman of 27 years. Allegations of attempt to rape have been levelled against the petitioner who is said to be a neighbourer of the prosecutrix. No medical was done on the prosecutrix. However, challan has been filed under Sections 376/511 IPC.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioner.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

15.12.2015
sunil

(ANITA CHAUDHRY)
JUDGE