

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M-2843 of 2014
Date of Decision: 30.01.2015**

Angraj Singh

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Amandeep Chhabra, Advocate
for the petitioner**

**Mr. Ankur Jain, AAG, Punjab
for the respondent-State**

**Ms. Seema Arora, Advocate
for respondent No.2**

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporter or not?**
- 3. Whether the judgment should be reported in the Digest?**

REKHA MITTAL, J.

The petitioner has prayed for quashing of FIR No.53 dated 22.4.2013 punishable under Sections 452, 506 of the Indian Penal Code (in short "IPC") and Section 8/12 of the Protection of Children from Sexual Offences Act, 2012(in short "the Act") registered at Police Station, City Malaut, District Sri Muktsar Sahib on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate on 28.2.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Sub Divisional Judicial Magistrate, Malout wherein it has been reported that statements of the petitioner and respondent No.2(complainant) have been recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the petitioner contends that even if the allegations against the complainant are taken on its face value, the same do not constitute offence under the Act. It is further argued that in view of the fact that dispute between the parties has been settled by way of compromise, there is no possibility of the complainant supporting cause of the prosecution even if challan is presented in the court and trial is allowed to proceed.

Counsel for respondent No. 2 has conceded to the fact that the parties have settled their dispute way of compromise and respondent No. 2 (complainant) has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Mr.Ankur Jain, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioner and respondent No.2 (complainant) that the matter has been settled by way of compromise between the parties. Counsel further states that a cancellation report has been prepared in the matter which is pending for submission in the Court.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to

settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in *Gian Singh v. State of Punjab and another*, 2012(4) R.C.R. (Criminal) 543.

In view of what has been discussed hereinabove, the petition is allowed and FIR No.53 dated 22.4.2013 punishable under Sections 452, 506 IPC and Section 8/12 of the Act registered at Police Station, City Malaut, District Sri Muktsar Sahib and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(REKHA MITTAL)
JUDGE

30.01.2015

PARAMJIT