

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-34593 of 2014
Date of decision : 24.03.2015

Rahul and others

.....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Beant Singh, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioners.

Mr. V.P.S. Sidhu, AAG Punjab

Mr. Harkaran Singh, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No. 126 dated 27.06.2014 filed under Sections 376/342 IPC and Section 5 of Immoral Traffic (Prevention) Act registered at Police Station City South Moga, District Moga and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that Renu and Rahul had filed a protection petition bearing CRM No. M-12552 of 2014 and a Coordinate Bench of this Court had granted protection vide order dated 11.04.2014 and thereafter on the assurance given by the parents, the girl had gone back to the parents house and they forced her to get the FIR registered but the things have settled and

compromise has been effected between the parties and the girl is now residing with petitioner No. 1.

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

Learned State counsel on instructions submits that petitioners are the accused and respondent No. 2 is the complainant/aggrieved person in this case.

No useful purpose would be served to keep the said complaint 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 complaint and all consequent proceedings conducted on the basis thereof are quashed.

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

24.03.2015

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(ANITA CHAUDHRY)
JUDGE