

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

**Criminal Misc. No.M-40274 of 2014
Date of Decision: January 19, 2015**

Heera Singh & Ors.

...Petitioners

Versus

State of Punjab & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Ms.Satwant Mehta, Advocate,
for the petitioners.

Naresh Kumar Sanghi, J.

Prayer in this petition, filed under Section 482, Cr.P.C., is for quashing of FIR No.09, dated 28.01.2014, for the offences punishable under Sections 376 and 506, IPC, registered at Police Station, Verowal, District Tarn Taran, and the consequential proceedings arising therefrom on the basis of compromise.

Learned counsel contends that after registration of the case and during pendency of the investigation, respondent No.2/ complainant/ prosecutrix (name withheld) has sorted out her dispute and effected a compromise with the petitioner and as such, the impugned FIR as well as the consequential proceedings emanating therefrom may be quashed. In support of her contention, she has placed reliance on the matter of **Gian Singh** vs. **State of Punjab**, 2012(4) RCR (Criminal) 543.

I have heard the learned counsel for the petitioner and with her able assistance gone through the material available on record.

As per the allegations levelled in the FIR registered at the behest of respondent No.2/prosecutrix, petitioner No.1 Heera Singh had met her (prosecutrix) 7/8 years ago and he wanted to solemnize marriage with her and thereafter, sexually exploited her. In the whole process, the parents of Heera Singh were also helping him.

At asking of the Court learned counsel very fairly conceded that the investigation of the case is still pending. On further query of this Court she fairly conceded that in **Gian Singh's** case (supra), Hon'ble the Supreme Court had held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society.

In view of the ratio of the judgment delivered by Hon'ble the Supreme Court in the matter of **Gian Singh's** case (supra), no ground is made out for quashing of the impugned FIR and the consequential proceedings arising therefrom.

Dismissed.

January 19, 2015
seema

(Naresh Kumar Sanghi)
Judge