

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-582 of 2015

Date of Decision: January 19, 2015

Lovepreet Singh @ Lovy

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Onkar Singh Batalvi, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of FIR No.142 dated 11.08.2014 under Sections 376 and 506 IPC and Section 4 of the POCSO Act, 2012 registered at Civil Lines Batala, District Gurdaspur on the basis of compromise and all the subsequent proceedings arising out of it.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the FIR has been registered under Section 376 and 506 IPC. The prosecutrix is stated to be less than 18 years of age and is studying in 10th class. As per the FIR, whenever the prosecutrix was on way to school, accused used to stop her on the way and harass her by doing immoral acts with her and

when the prosecutrix told him that she will inform her parents in this regard, then the accused-petitioner told her that if she inform her parents, he will kill them.

There is also allegation in the FIR that accused-petitioner forcibly got the prosecutrix sit on his motorcycle and took her to bushes of Kila Lal Singh Canal and forcibly committed rape upon her against her wishes.

Keeping in view the facts and circumstances of the present case and in view of the law laid down by the Hon'ble Supreme Court in ***Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543***, I find that FIR cannot be quashed in such a serious offence under Section 376 IPC only on the basis of compromise.

Therefore, finding no merit in the present petition, the same is dismissed.

January 19, 2015
Vgulati

(INDERJIT SINGH)
JUDGE