

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

**CRM-M-14911-2016
Date of decision: 31.08.2016**

Balbir Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Naveen Kumar, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Ritu Bahri, J.

Reply on behalf of respondent No.1, in the shape of affidavit of Deputy Superintendent of Police, Bilaspur, District Yamuna Nagar, has been filed in Court. Same is taken on record.

Quashing of FIR No. 212 dated 30.10.2014, under Sections 376/511 IPC, registered at Police Station Sadaura, Yamunanagar, which stands merged into final report/challan under Section 354-A IPC (Annexure P-1), is sought on the basis of compromise dated 09.03.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Amarjeet Kaur-respondent No.2 against the accused-petitioner, Balbir Singh, who is maternal uncle of her husband, with the allegation that he had tried to commit rape upon her. Initially, the FIR was registered under

Sections 376 and 511 IPC. However, during the course of investigation, these sections were deleted from the FIR and the challan was presented under Section 354-A IPC.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been resolved between the petitioner and respondent No.2-Amarjeet Kaur vide compromise deed dated 09.03.2016 (Annexure P-2).

In compliance with the order dated 15.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Sub Divisional Judicial Magistrate, Bilaspur (Yamuna Nagar), has been received in this regard. As per report, Amarjeet Kaur-complainant (respondent No.2) made her statement on 01.08.2016 to the effect that she has compromised the matter with the accused (petitioner) with her own sweet will and without any pressure or coercion. She has no objection if, the above said FIR is quashed. Statement of Balbir Singh-petitioner was also recorded to the same effect. Manjit Kaur (mother of complainant) and Manpreet Singh (brother of complainant) also made a joint statement before the trial Court endorsing the fact that the matter has been compromised between the parties. In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 212 dated 30.10.2014, under Sections 376/511 IPC (challan presented under Section 354-A IPC), registered at Police Station Sadaura, Yamunanagar, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

31.08.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No