

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15706 of 2016
Date of Decision: 07.11.2016

Satish Kumar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Achin Gupta, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.N.K.Manchanda, Advocate, for respondents No.2 and 3.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.37 dated 20.02.2013, for the offence under Sections 452, 354 IPC and Section 7/9 of POCSO Act, registered at Police Station City, Kotkapura, District Faridkot (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 29.04.2016 (Annexure P-2).

It was alleged by the complainant that petitioner has tried to outrage the modesty of her daughter i.e. Kashish and when he was stopped then he fled away from the spot. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Sandeep Singh, vide affidavit of the respondent No.2-Sandeep Kumar dated 29.04.2016 (Annexure P-2).

In compliance with the order dated 23.05.2016 passed by this Court, the parties got recorded their statements before the trial Court.

Report from the learned Sessions Judge, Faridkot, has been received in this regard. As per report, Sandeep Kumar-complainant and accused-petitioner appeared before the trial Court on 02.06.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Sandeep Kumar and accused-petitioner were recorded to the effect that they have compromised the matter and Sandeep Kumar-complainant has no objection if the present FIR is quashed against the accused/petitioner. Statements of accused-petitioner were also recorded to the same effect. 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 others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.37 dated 20.02.2013, for the offence under Sections 452, 354 IPC and Section 7/9 of POCSO Act, registered at Police Station City, Kotkapura, District Faridkot (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

07.11.2016
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>