

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

**CRM No. M-2048 of 2016 (O&M)
Date of decision: 09.08.2016**

Tejbir Sharma and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.S. Virk, Advocate,
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

Mr. Sandeep Goyal, Advocate,
for respondent Nos.2 to 5.

Ritu Bahri, J.

Reply filed on behalf of respondent No.1-State is taken on record.

Quashing of FIR No. 899 dated 26.07.2015, under Sections 148/149/323/452/354/365/511/366 IPC and Section 10 of Protection of Children from Sexual Offences Act, registered at Police Station Chandni Bagh, District Panipat (Annexure P-1) along with Challan dated 21.11.2015 (Annexure P-2), is sought on the basis of compromise dated 11.01.2016 (Annexure P-4).

The F.I.R was registered on the basis of complaint/application made by Aman-respondent No.2 to the effect that she was aged about 15 years and was student of 10 class. Her father, Mahabir, was employed as driver in BBMB. On 27.09.2014, at about 5.15 P.M., when she and her

mother were present in their house, all the accused-petitioners, armed with

hockeys, *lathis* (sticks) and iron rods, entered in the house. Vikrant and Akshay started teasing the complainant with bad intention. They pushed her mother to one side. Thereafter, they forcibly took the complainant in their car with an intention to kidnap her. In the meantime, her brother-Suraj Parkash @ Sonu reached there and tried to save her. However, all the accused-petitioners inflicted injuries to Suraj Parkash with the help of their respective weapons. She raised an alarm, upon which, people of the locality gathered there and saved the complainant and her brother from the clutches of the accused-petitioners. Thereafter, the assailants ran away from the spot. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been amicably resolved between the parties, vide compromise dated 11.01.2016 (Annexure P-4).

In compliance with the order dated 20.01.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Additional Sessions Judge, Panipat, has been received in this regard. As per report, Aman-respondent No.2 (complainant) made her statement on 03.03.2016 to the effect that with the intervention of the respectable, she has compromised the matter with the accused (petitioners) and she has no objection if, the above said FIR is quashed. Separate statements of her brother-Suryaparkash @ Sonu, father-Mahabir Singh and mother-Smt. Bhateri were also recorded in this regard. Joint statement of accused-petitioners was 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 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. 899 dated 26.07.2015, under Sections 148/149/323/452/354/365/511/366 IPC and Section 10 of Protection of Children from Sexual Offences Act, registered at Police Station Chandni Bagh, District Panipat and Challan dated 21.11.2015 are quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

09.08.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No