

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

**CRM NO. M-2180 OF 2016
DECIDED ON : 28.09.2016**

Rameshwar Jaiswal and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Hemender Goswami, Advocate,
for the petitioners.

Mr. A.P.S. Gill, AAG, Punjab.

RITU BAHRI, J. (ORAL)

Quashing of FIR No. 93 dated 27.11.2014 under Section 376/120-B IPC and Sections 4 and 12 of the POSCO Act registered at Police Station Moti Nagar, Ludhiana (Annexure P-1), is being sought on the basis of compromise deed dated 07.12.2015 (Annexure P-2).

Learned counsel for the petitioners submits that now the matter has been duly compromised vide compromise deed dated 07.12.2015 (Annexure P-2).

Respondent No.2-Khusbhoo Jaiswal is present in Court today. On specific query put to her by the Court, she states that she is staying in Raikot with her husband i.e petitioner No.3-Nand Kishore.

In compliance of the order dated 25.07.2016, report of Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per status report, her statement has already been recorded on 13.09.2016. Joint statement of Nand Kishore, Rameshwar Jaiswal, Saraswati Devi, Umesh Gupta and Sunita Devi has also been recorded to the same effect.

A perusal of the order dated 15.12.2015 passed by this Court in CRM No. M-16223 of 2015 granting anticipatory bail to the petitioner, shows that the prosecutrix/complainant was present in Court and she made a statement before the Court that she is residing happily with her husband Nand Kishore in their matrimonial home and a formal compromise has been effected between the parties. As on today, the complainant has attained majority as her date of birth is 02.05.1997.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in case of **"Dr.Arvind Barsaul etc v. State of Madhya Pradesh and another" 2008 (2) RCR (Criminal) 910**, no useful purpose would be served by prolonging the litigation.

Accordingly, the FIR No. 93 dated 27.11.2014 under Section 376/120-B IPC and Sections 4 and 12 of the POSCO Act

registered at Police Station Moti Nagar, Ludhiana (Annexure P-1)
is quashed along with all consequential proceedings arising
therefrom, qua the petitioners only.

The petition stands disposed of.

(RITU BAHRI)
JUDGE

SEPTEMBER 28, 2016

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| 1. | Whether speaking/reasoned ? | YES/NO |
| 2. | Whether reportable ? | YES/NO |