

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21362 of 2015

Date of Decision: 26.07.2016

Lovepreet Singh and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ritesh Panday, Advocate, for the petitioners.

Mr.Manpreet Dhaliwal, AAG Punjab.

Mr.Amit Gupta, Advocate, for

Mr.Akashdeep Sethi, 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.63 dated 16.09.2014, for the offence under Sections 354, 354-B, 506, 34 IPC and Section 8 of Protection of Children From Sexual Offences Act, 2002 registered at Police Station Ghuman Kalan, Tehsil and Distt. Gurdaspur (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 15.05.2015 (Annexure P-2).

It was alleged by the complainant that on 15.09.2014, when she was alone in her house, at about 6:00 p.m., Manjinder Singh son of Balwinder Singh and Lovely son of Sukhdev Singh came to her house and tried to outrage her modesty. On raising alarm by her, both of them ran away from the spot by giving threatening her that whenever they get the chance, they would insult her and she told anything about the incident, she would be killed. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between

Baljinder Singh, vide compromise deed dated 15.05.2015 (Annexure P-2).

In compliance with the order dated 29.09.2015, passed by this Court, the parties got recorded their statements before the trial Court. Report from the Principal Magistrate Juvenile Justice Board, Gurdaspur, has been received in this regard. As per report, Robanpeet Kaur Kaur-complainant/respondent No.2 and Baljinder Singh/respondent No.2 and accused/petitioner-Manjinder Singh and Kashmir Singh- member Panchayat appeared before the trial Court on 12.10.2015 for getting their statements recorded in support of the compromise. In this regard statements of Robanpeet Kaur Kaur-complainant/respondent No.2 and Baljinder Singh/respondent No.3 were recorded to the effect that both the parties have compromised the matter and Robanpeet Kaur Kaur-complainant/respondent No.2 and Baljinder Singh/respondent No.2 have no objection if the present FIR is quashed against these accused. Statements of accused/petitioner-Manjinder Singh and Kashmir Singh- member Panchayat were also recorded to the same effect. It is further reported that proceedings against Lovepreet Singh alias Lovely-petitioner No.2 are concerned, the same are pending in other trial Court. 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.63 dated 16.09.2014, for the offence under Sections 354, 354-B, 506, 34 IPC and Section 8 of Protection of Children From

Distt. Gurdaspur (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

26.07.2016

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