

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

CRM No.M-249 of 2016

Decided on: 25.07.2016

Charanjit Kaur @ Channi

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vivek Goel, Advocate,
for the petitioner.

Mr. Jatinder Singh Riar, AAG, Punjab.

Mr. Achin Gupta, Advocate,
for respondent No.2.

RITU BAHRI, J (ORAL)

Quashing of FIR No. 116 dated 24.07.2013, under Sections 312, 313 and 120-B IPC and Section 5 of Medical Termination of Pregnancy Act, 1971, registered at Police Station, Moga City, District Moga (Annexure P-1) is sought on the basis compromise dated 11.12.2015 (Annexure P-2).

The F.I.R was registered on the basis of statement made by complainant-respondent No.2-Nirmal Kaur against the co-accused (Lakhwinder Singh) to the effect that her marriage with him was solemnized on 31.10.2012 as per Hindu rites. After sometime the relationship between respondent No.2 and co-accused got strained due to misunderstanding between them. The petitioner and co-accused were desirous to have a male child and abortion of respondent No.2 was done without her consent. In

this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons of the locality, the matter has now been resolved between the co-accused and respondent No.2 vide compromise dated 11.12.2015 (Annexure P-2).

In compliance with the order dated 05.04.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Additional District & Sessions Judge, Moga, has been received in this regard. As per report, Nirmal Kaur-respondent No.2 (complainant) made her statement on 27.04.2016 that she has compromised the matter with the co-accused. She has no objection if, the above said FIR is quashed. Statement of Charanjit Kaur-petitioner 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 (CrL.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 116 dated 24.07.2013, under Sections 312, 313 and 120-B IPC and Section 5 of Medical Termination of Pregnancy Act, 1971, registered at Police Station, Moga City, District Moga is quashed with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of accordingly.

July 25, 2016
Dinesh

(RITU BAHRI)
JUDGE