

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26889 of 2016
Date of Decision: 09.12.2016

Malkit Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.S.K.Virk, Advocate, for the petitioner.

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

Mr.Monu Khan, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.97 dated 15.07.2016, for the offence under Sections 452, 354-B, 427, 506 IPC registered at Police Station Mantiana Distt. Hoshiarpur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 16.07.2016 (Annexure P-2).

It was alleged by the complainant that petitioner after forcibly opening the main gate entered into her house and manhandled her under the influence of intoxicants and molested her. On raising hue and cry, her daughter-in-law came to rescue her but she was also manhandled by the petitioner. Some local people of the village rescued them. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Bramjit Kaur, vide compromise

deed dated 16.07.2016 (Annexure P-2).

In compliance with the order dated 21.09.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Hoshiarpur, has been received in this regard. As per report, Bramjit Kaur-complainant and accused-petitioner appeared before the trial Court on 10.11.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Bramjit Kaur and accused-petitioner were recorded to the effect that they have compromised the matter and Bramjit Kaur-complainant has no objection if the present FIR is quashed against the accused/petitioners. 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.97 dated 15.07.2016, for the offence under Sections 452, 354-B, 427, 506 IPC registered at Police Station Mantiana Distt. Hoshiarpur, is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

09.12.2016
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