

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

**CRM-M-27152-2016
Date of decision: 04.10.2016**

Shubham @ Billu and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.S. Goraya, Advocate,
for the petitioners.

Ms. Anmol Grewal, DAG, Punjab.

Mr. Virender Partap Singh, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 108 dated 13.08.2015, under Sections 354, 354-A/D, 341 (added later on), 506, 120-B, 148, 149 IPC and Section 4 of Protection of Children from Sexual Offences Act (added later on) (section 8 of POCSO Act deleted later on), registered at Police Station, Division No.2, Pathankot, District Pathankot (Annexure P-1), is sought on the basis of compromise dated 01.09.2015 (Annexure P-4).

The F.I.R was registered on the basis of statement made by Anjali Sidhu-respondent No.2 to the effect that she was a matriculate. About one year back, when she was studying in Girls Aria School, Mishan Road, Pathankot, Suksham, Billu and Ankit (petitioner Nos.1 to 3) used to follow and stopped her in the way. Many times, they molested her by holding her arms. They also clicked her photographs from the roof of their house. In

this background, the FIR was registered.

During the pendency of investigation, with the intervention of respectable persons, the matter has now been resolved between the parties vide compromise deed dated 01.09.2015 (Annexure P-4).

In compliance with the order dated 09.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Pathankot, has been received in this regard. As per report, Anjali Sidhu-respondent No.2 (complainant) through her father, Manoj Kumar, made a statement on 15.09.2016 to the effect that she has compromised the matter with the accused-petitioners vide compromise/settlement dated 01.09.2015 with her own free will and without any pressure or coercion. She has no objection if, the above said FIR is quashed. Separate statements of Shubham @ Billu, Ankit Bhatti, Suksham, Ramesh Kumar, Sudha Bhatti-petitioners 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 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. 108 dated 13.08.2015, under Sections 354, 354-A/D, 341 (added later on), 506, 120-B, 148, 149 IPC and Section 4 of Protection of Children from Sexual Offences Act (added later on) (section 8 of POCSO Act deleted later on), registered at Police Station,

Division No.2, Pathankot, District Pathankot (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

04.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No