

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27277-2016

Date of Decision:- 19.10.2016

Jasveer Singh and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Sanjay Vashisth, Advocate
for the petitioners.**

Ms. Mahima Yashpal, AAG, Haryana.

**Mr. Ashok Tyagi, Advocate
for respondent Nos.2 and 3.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.1606 dated 28.12.2015, under Section 365 IPC (challan under Sections 365, 323, 506, 34, 366 IPC and charged under Sections 323, 366, 365, 341, 506 and 34 IPC), registered at Police Station Gurgaon City, on the basis of compromise deed dated 30.07.2016 (Annexure P-3).

Brief facts of the case are that on 28.12.2015 ASI Satinder Singh was present at Police Post New Colony, Gurgaon where he received an V.T. from the control room Gurgaon that one girl has been kidnapped from DSD College, Gurgaon by unknown persons. Thereafter, the FIR

No.1606 dated 28.12.2015 under Section 365 IPC against the unknown person. Consequently, the girl and unknown persons were traced out and on the basis of statement of the girl recorded under Sections 164 Cr.P.C., by the learned Magistrate, the offences punishable under Sections 323, 506 and 34 and 366 IPC were added.

Learned counsel for the petitioners submits that with the efforts of the people of the society and family members, the matter has now been amicably settled between the parties , vide compromise deed dated 30.07.2016 (Annexure P-3).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise (Annexure P-3), by way of order dated 08.08.2016, by this Court.

In compliance of order dated 08.08.2016 of this Court, the report of the Chief Judicial Magistrate, Gurgaon dated 14.09.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and 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, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.1606 dated 28.12.2015, under Section 365 IPC (challan under Sections 365, 323, 506, 34, 366 IPC and charged under Sections 323, 366, 365, 341, 506 and 34 IPC), registered at Police Station Gurgaon City and all the subsequent proceedings arising therefrom are hereby quashed on the basis of compromise deed dated 30.07.2016 (Annexure P-3).

The present petition stands disposed of.

October 19, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No