

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

Crl. Misc. No. M-28478 of 2016

Date of decision : 25.10.2016

Nitin Kapoor

.....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manav Anand, Advocate with
Mr. Umesh Aggarwal, Advocate
for the petitioner

Ms. Manpreet Dhaliwal, AAG, Punjab

Mr. M.K. Dogra, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 9 dated 22.01.2013 under Sections 354 IPC, registered at Police Station 'D' Division District Amritsar City, is being sought on the basis of compromise deed dated 30.07.2016 (Annexure P-2).

The allegations against the petitioner that he was doing some wrong and obscene act with the daughter of respondent No. 2 by taking her arms and fondling her breast and when respondent No. 2 heard the cries of her daughter, he saw the petitioner who ran away from the spot.

However, the matter has now been duly compromised, vide compromise deed dated 30.07.2016 (Annexure P-2).

In compliance of order dated 17.08.2016, report dated 13.09.2016 of Judicial Magistrate 1st Class, Amritsar, has been received in this regard. As per report, statement of parties have been recorded.

Complainant stated that the matter stands compromised between the parties and he does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioner. The compromise has been entered voluntarily. To the same effect is the statement given by the petitioner.

Consequently, in view of the status report dated 13.09.2016 and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. v. 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 judgment of this Court in the case of **“Kulwinder Singh and others vs. State of Punjab and another**, 2007(3) RCR (Crl.) 1052”, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 9 dated 22.01.2013 under Sections 354 IPC, registered at Police Station 'D' Division District Amritsar City, is quashed along with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of.

25.10.2016
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *No*