

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

**CRM No. M-30305 of 2016
Date of decision: 08.11.2016**

Bhupinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Achin Gupta, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Sukhmeet Singh, Advocate,
for respondent No.2-complainant.

Ritu Bahri, J.

Quashing of FIR No. 375 dated 21.11.2013, under Sections 354, 458, 506 IPC (Sections 354-A, 354-B, 354-D & 323 IPC added later on), registered at Police Station, Kotwali, Faridkot, District Faridkot (Annexure P-1) and judgment of conviction dated 14.03.2016 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Faridkot, is sought on the basis of compromise dated 04.08.2016 (Annexure P-3) effected between the parties.

The F.I.R was registered on the basis of statement made by Manpreet Kaur-respondent No.2 to the effect that her husband Nachhattar Singh is posted in Rajasthan in Training Department. She along with her children is residing at home. On 17.11.2013, at night, she along with her children went to sleep in her room. At about 1:00 A.M., Bhupinder Singh alias Goldy, who is son of sister-in-law of the complainant, entered her

room and touched her body when she was sleeping. On seeing him, the

complainant tried to stop him from doing so. However, he did not stop and tried to commit wrong act without her consent. In order to save herself, complainant gave a kick blow to the accused-petitioner, as a result of which, he fell down. When the complainant was trying to call her sister-in-law, Kuldeep Kaur, the accused gave a knife blow on her left wrist. In this background, the FIR was registered.

On conclusion of the investigation, challan was presented and accused-petitioner faced the trial. Ultimately, the trial Court, vide judgment dated 14.03.2016 (Annexure P-2) convicted and sentenced the accused-petitioner for commission of offences under Sections 458, 354, 354-A, 354-B, 323 and 506 IPC. Against the said judgment, petitioner filed an appeal before the Additional Sessions Judge, Faridkot.

During the pendency of appeal, with the intervention of respectable persons, the matter has been amicably resolved between the parties vide compromise deed dated 04.08.2016 (Annexure P-3).

In compliance with the order dated 30.08.2016 passed by this Court, parties have got recorded their statements before the Illaqa Magistrate. In this regard, a status report has been received from the Chief Judicial Magistrate, Faridkot. As per report, Manpreet Kaur-complainant (respondent No.2) made her statement on 27.10.2016 to the effect that during the pendency of appeal, with the intervention of respectable persons, she has compromised the matter with accused-petitioner (Bhupinder Singh) out of her own free will and without any pressure or coercion. She has no objection, if the aforesaid FIR is quashed. Separate statement of Bhupinder Singh-petitioner was also recorded to the same effect. In view of separate statements given by the parties, this 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 (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 375 dated 21.11.2013, under Sections 354, 458, 506 IPC (Sections 354-A, 354-B, 354-D & 323 IPC added later on), registered at Police Station, Kotwali, Faridkot, District Faridkot (Annexure P-1) and judgment of conviction dated 14.03.2016 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Faridkot, are quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

08.11.2016
ajp

(RITU BAHRI)
JUDGE

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