

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31239-2016

Date of Decision:- 23.11.2016

Tulsi

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Lakhwinder Singh Mann, Advocate, for the petitioner.

Mr. APS Gill, AAG, Punjab.

Mr. Chhavi Sharma, Advocate, for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.68 dated 12.08.2016, under Section 354 IPC and Section 4 of POCSO Act, registered at Police Station Cantt. Bathinda, District Bathinda, on the basis of compromise dated 24.08.2016 (Annexure P-2).

Brief facts of the case are that petitioner has misbehaved with respondent No.3 while she was coming back to her home after taking fruitry from the shop and took her in a nearbay vacant shop. Thereafter, she raised noise, which attracted her maternal aunt and other neighbourers came on the spot. Thereafter, the F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 24.08.2016 (Annexure P-2).

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 dated 24.08.2016 (Annexure P-2), by way of order dated 05.09.2016, by this Court.

In compliance of order dated 05.09.2016 of this Court, the report of the Judicial Magistrate 1st Class, Bathinda, dated 02.11.2016 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 petitioner is quashed. Statements of the petitioner 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.68 dated 12.08.2016, under Section 354 IPC and Section 4 of POCSO Act, registered at Police Station Cantt. Bathinda, District Bathinda and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 24.08.2016 (Annexure P-2).

The present petition stands disposed of.

November 23, 2016
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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No