

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31306-2016

Date of Decision:- 21.11.2016

Naveen

....Petitioners

Versus

UT of Chandigarh and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harsh Manocha, Advocate, for the petitioner.

Ms. Ashima Mor, Advocate for U.T., Chandigarh.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.440 dated 20.10.2012, under Sections 309, 354, 323, 452, 506 IPC, registered at Police Station Sector 17, Chandigarh, on the basis of compromise dated 19.08.2016 (Annexure P-2).

Brief facts of the case are that on 20.10.2012 at about 3.00 PM the petitioner has come to the house of the complainant and outrage the modesty of her daughter, namely, Pooja (respondent No.3), when she was at home. Consequently, the F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that the alleged occurrence took place in a spur of moment and there was no intention of the petitioner to commit any offence. Now, the matter has been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 19.08.2016 (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

19.08.2016 (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, Chandigarh dated 12.11.2016 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 respondents 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.440 dated 20.10.2012, under Sections 309, 354, 323, 452, 506 IPC, registered at Police Station Sector 17, Chandigarh and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 19.08.2016 (Annexure P-2).

The present petition stands disposed of.

November 21, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No