

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

Crl. Misc. No.M-3224 of 2016 (O&M)

Date of decision : 18.05.2016

Kamal Kumar

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vijay Kumar, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Kulbir Dalal, Advocate
for respondent no.2.

ANITA CHAUDHRY, J.

This is a petition for quashing of FIR No.285 dated 27.06.2015, registered under Sections 363, 366 IPC and Section 3 of the SC/ST Act (added later on), Police Station Pehowa, District Kurukshetra.

The counsel for the petitioner contends that a compromise has been effected and the matter has been amicably settled and it was a case of run away marriage but for some reason the girl had made a statement against the petitioner and the challan was presented.

Counsel for the petitioner refers to ***S. Varadarajan Vs. State of Madras 1965 AIR (SC) 942, Kulwinder Singh and others Vs. State of Punjab and another 2007(3) AICLR 818, Rukshana and another Vs. Govt. of NCT of Delhi & Ors. 2007(2) DMC 8, Bhagwan Singh and others Vs. State and another 2007(1) RCR (Criminal) 347 and Sh. Jitender Kumar Sharma Vs. State and another 2010(95) AIC 428.***

I have gone through the judgments. They are not applicable. In none of the cases, the accused have approached the Court for quashing based on compromise after evidence was recorded in a kidnapping case of a minor.

The State counsel submits that the challan was presented and the prosecutrix has made a statement against the petitioner and the girl was under 18 years of age and all the witnesses have been examined and the case is fixed for defence evidence.

The petitioner is seeking quashing of the FIR on the ground that a compromise has been effected. The police had investigated the case and had filed the challan. Charge was framed and thereafter, the case was posted for evidence of the prosecution. The trial is complete. It is for the trial Court to consider the circumstances that are now being presented if the law permits.

The petition is dismissed.

18.05.2016
sunil

(ANITA CHAUDHRY)
JUDGE