

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36877 of 2016
Date of Decision: 08.12.2016

Harpreet Singh @ Happy

.....Petitioner

Vs.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Parteek Pandit, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.Amit Kohar, Advocate, for respondents No.2 and 3.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.66 dated 21.09.2016, for the offence under Sections 354-B IPC and Section 8 of POCSO Act, 2012, registered at Police Station Dhilwan, District Kapurthala, along with all consequential proceedings arising therefrom, on the basis of affidavit dated 04.10.2016 (Annexure P-2).

It was alleged by the complainant that petitioner was trying to outrage the modesty of her daughter after forcibly brought her in his uncle's house. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Rani, vide affidavit dated 04.10.2016 (Annexure P-2).

In compliance with the order dated 18.10.2016 passed by this

Report from the JMIC, Kapurthala, has been received in this regard. As per report, Rani-complainant and accused-petitioner appeared before the trial Court on 11.11.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Rani and accused-petitioner were recorded to the effect that they have compromised the matter and Rani-complainant has no objection if the present FIR is quashed against the accused/petitioner. Statements of accused-petitioner were also recorded to the same effect. In view of separate statements of the parties, the 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 others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.66 dated 21.09.2016, for the offence under Sections 354-B IPC and Section 8 of POCSO Act, 2012, registered at Police Station Dhilwan, District Kapurthala, is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

08.12.2016
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>