

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

241

CRM-M-38114 of 2015

Date of Decision:29.08.2016

Navneet Saini

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.R.S.Ahluwalia, Advocate,
for the petitioner.

Mr.J.S.Riar, AAG, Punjab,
for the respondent-State.

Mr.J.S.Gill, Advocate,
for respondent Nos.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.38 dated 24.04.2015, for the offence under Sections 354-A, 354-D IPC and Section 67 of the Information Act, registered at Police Station Sadar Rupnagar,(Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 21.10.2015 (Annexure P-3).

The FIR was registered on the basis of statement made by complainant-Vinod Kumar Saini, respondent No.2 to the effect that his mobile phone was being used by her daughter Kajal Saini, respondent No.3, whereupon some obscene messages were received by making a fake

facebook account from the petitioner. On this background, the FIR was

registered.

During the course of investigation, the matter has been resolved between the petitioner and respondent Nos.2 and 3, vide compromise dated 21.10.2015 (Annexure P-3).

In compliance with the order dated 04.05.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Rupnagar, has been received in this regard. As per report, respondent Nos.2 & 3-complainant and accused-petitioner appeared before the trial Court for getting their statements recorded in support of the compromise. In this regard statements of complainant-Vinod Kumar Saini, respondent No.3-Kajal Saini and accused-petitioner were recorded to the effect that they have compromised the matter with the intervention of common friends and respectable persons of the area with their free consent and without any kind of pressure, threat or coercion. Both the parties are relatives with each other. In order to keep harmony, love and affection, they have settled the disputes amicably. Now, they have no ill-will or grudge against each other. The complainant and respondent No.3 have no objection if the present FIR is quashed against the accused. 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.38 dated 24.04.2015, for the offence under Sections 354-A, 354-D IPC and Section 67 of the Information Act, registered at Police Station Sadar Rupnagar,(Annexure P-2) along with all consequential proceedings arising therefrom, qua the petitioner is quashed.

The petition stands disposed of accordingly.

August 29, 2016
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(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No