

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

Crl. Misc. No-M-395 of 2016
Decided on : 15th July, 2016

Shivam and anr.

.... Petitioners

VERSUS

State of Punjab and ors.

.... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Jaswinder Singh Grewal, Advocate for the petitioners.

Mr. APS Gill, AAG, Punjab.

Mr. Gurjeet Singh, Advocate for respondents no. 2 and 3.

RITU BAHRI, J. (Oral)

Quashing of FIR No. 17, dated 25.01.2014 registered under Sections 354-A, 323, 341, 148 (Annexure P-4) along with DDR no. 20 dated 14.08.2015 vide which the offence under section 354 IPC was added later (Annexure P-5) at Police Station City-1-Abohar Tehsil Abohar, District Fazilka is sought on the basis of compromise dated 19.12.2015 (Annexure P-1).

The FIR was registered on the basis of statement made by respondent No. 2-Kavita Rani against the accused-petitioners to the effect that on 22.01.2014 at 6.15 pm when she was going to Bazar on scooty and reached near the house of Shivam. She found that Shivan and Vipam @ Nonu were standing along with other 4-5 unknown persons. Shivam blocked her way and Vipam @ Nonu caught hold of her clothes and scooty from behind. When she made noise, Shivam hold her mouth with his hands and Vipam @ Nonu hold her hands. Thereafter, Shivam gave fist blows on left side of her forehead and left eye. In the meantime, her brother, who was passing from there, came at the spot after hearing noise. He was also beaten up by the other unknown persons. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable

persons of the locality, the matter has now been resolved between the petitioners and respondent no. 2 vide compromise deed dated 19.12.2015 (Annexure P-1).

In compliance of the order dated 31.03.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Sub Divisional Judicial Magistrate, Abohar, has been received in this regard. As per report, Kavita Rani-respondent No. 2 (complainant) made her statement on 26.04.2016 to the effect that with the intervention of the respectable persons, she has compromised the matter with the accused (petitioners) without any pressure. She has no objection if, the above said FIR is quashed. Joint statement of Shivam and Vipin Kumar-petitioners were also recorded to the same effect. In view of separate statements of the parties, this 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 Ors. 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. 17 dated 25.01.2014 registered under Sections 354-A, 323, 341, 148 (Annexure P-4) along with DDR no. 20 dated 14.08.2015 vide which the offence under section 354 IPC was added later (Annexure P-5) at Police Station City-1-Abohar Tehsil Abohar, District Fazilka, is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of accordingly.

15th July, 2016
 jyoti III

(RITU BAHRI)
JUDGE