

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4397 of 2015 (O&M)
Date of Decision: 07.11.2016

Gurwinder Singh @ Lalli and OthersPetitioners

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.G.S.Sandhu, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.S.K.Chawla, Advocate, for respondents No.2 to 4.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.271 dated 26.11.2014, for the offence under Sections 354-A/354-D/341/34 IPC and Section 11/12 of POCSO Act, 2012, registered at Police Station Kotwali Faridkot, Distt. Faridkot along with all consequential proceedings arising therefrom, on the basis of compromise dated 26.01.2015(Annexure P-2).

It was alleged by the complainant/respondents that they are studying in +1 in girls school and petitioners used to tease her. They were not stopping their activities even after making them understand by complainants/respondents. Time and again, petitioners were following the complainant/respondents with bad intention. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved

between the petitioners and complainant/respondents No.2 and 3 and

respondent No.4, vide compromise deed dated 26.01.2015 (Annexure P-2).

In compliance with the order dated 10.02.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the learned Sessions Judge, Faridkot, has been received in this regard. As per report, complainant/respondents No.2 and 3 and respondent No.4 and accused-petitioners appeared before the trial Court on 11.02.2015 for getting their statements recorded in support of the compromise. In this regard statements of complainant/respondents No.2 and 3 and respondent No.4 and accused-petitioners were recorded to the effect that they have compromised the matter and complainant/respondents No.2 and 3 and respondent No.4 have no objection if the present FIR is quashed against these accused/petitioners. Statements of accused-petitioners 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.271 dated 26.11.2014, for the offence under Sections 354-A/354-D/341/34 IPC and Section 11/12 of POCSO

Act, 2012, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

07.11.2016
anil

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