

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-8728 of 2016

DATE OF DECISION: 14.03.2016

Gurdeep Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. JBS Gill, Advocate
for the petitioners.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 71 dated 4.12.2014 registered under Sections 376/34 IPC and Sections 4,8,12 of Protection of Children from Sexual Offences Act at Police Station Garhdiwala, District Hoshiarpur, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that the matter has been compromised between the parties. The victim as well as her mother have given their affidavits in this regard. Learned counsel further contends that earlier mother of the victim was not agreeing for marriage of the victim with the accused-petitioner but subsequently the matter has been compromised and now she has no objection to the marriage.

Heard the arguments advanced by learned counsel for the

petitioner and have also gone through the contents of the FIR and other documents available on the file.

Admittedly, the aforesaid FIR was registered against the accused persons on the basis of statement made by the victim, who was student of 8th class and was less than 18 years of age as her date of birth is 5.12.1999. Simply by saying that mother of the victim has no objection in marrying the victim with the accused, is no ground to quash the FIR. Moreover, the FIR is under Sections 376/34 IPC and Sections 4,8,12 of Protection of Children from Sexual Offences Act.

Keeping in view the nature of offence and the age of victim, no ground is made out to quash the FIR and the petition being devoid of any merit is hereby dismissed.

March 14, 2016
pooja

(DAYA CHAUDHARY)
JUDGE