

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8951 of 2016
Date of Decision: 08.12.2016

Sarabjit Kumar and OthersPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Ms.Manpreet Dhaliwal, AAG, Punjab.

Ms.Mandeep Kaur, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.81 dated 15.07.2014, for the offence under Sections 323, 354, 376, 511, 34 IPC registered at Police Station Sadar Phagwara, District Kapurthala along with all consequential proceedings arising therefrom, on the basis of compromise dated 03.03.2016 (Annexure P-2).

The FIR was registered on the basis of statement made by Amandeep Kaur-complainant. It was alleged by the complainant that she along with her mother Amarjeet Kaur and younger sister Ramandeep Kaur were coming back to home from a walk from the railway station to their village, petitioners were standing there and on seeing them they started abusing them and tried to outrage the modesty of the complainant. The mother and sister of the complainant made hue and cry, some people gathered and rescued them from the clutches of petitioners. At that time,

petitioners fled from the spot after giving threatening to kill them. On this background, the FIR was registered. After registration of FIR, challan has been present against the petitioners and charges were framed under Sections 376 read with Section 511, 323 and 354 IPC.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Amandeep Kaur, vide compromise deed dated 03.03.2016 (Annexure P-2).

In compliance with the order dated 27.09.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Phagwara, has been received in this regard. As per report, Amandeep Kaur-complainant and accused-petitioners appeared before the trial Court on 15.10.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Amandeep Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Amandeep Kaur-complainant has 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.

attempt of outrage the modesty of the complainant and the during the pendency of the trial, the matter has been duly compromised.

Accordingly, FIR No.81 dated 15.07.2014, for the offence under Sections 323, 354, 376, 511, 34 IPC registered at Police Station Sadar Phagwara, District Kapurthala is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

08.12.2016
anil

Whether speaking/reasoned :	Yes/No
Whether reportable	Yes/No