

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-9439 of 2016

Date of decision : 05.09.2016

Mukesh Kumar Sharma

..... Petitioner

versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.S. Cooner, Advocate
for the petitioner
Mr. Sanjay K. Saini, AAG Haryana
Mr. Suneet Kumar, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No. 55 dated 16.03.2015 filed under Sections 354-D IPC (later on Section 354-A IPC and Section 11 of POCSO Act were added) registered at Police Station Parao, Ambala Cantt and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise.

The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent statements of parties.

Learned State counsel on instructions submits that petitioner is the accused and respondent No. 2 is the complainant/aggrieved persons in this case.

No useful purpose would be served to keep the said FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another***, 2007(3) RCR (Criminal) 1052,

approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others*** (2012) 10 SCC 303, the instant petition is allowed and the aforesaid FIR and all the consequent proceedings arisen out of the same are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

September 05, 2016

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**(ANITA CHAUDHRY)
JUDGE**

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No