

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13161-2016 (O&M)

Date of Decision:- 15.02.2017

Kamaljeet Singh @ Laddi

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. S.S. Grewal, Advocate,
for the petitioner.**

Mr. J.S. Sekhon, AAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.76 dated 27.09.2015, under Sections 376, 511 and 451 IPC, registered at Police Station City Budlada, District Mansa, on the basis of compromise deed dated 08.10.2015 (Annexure P-2).

Brief facts of the case are that on 27.09.2015 accused-Kamaljeet @ Laddi son of Kala Singh, after jumping the boundary wall, had entered into the house of complainant-Kiranjit Kaur, when she was alone and he tried to outrage her modesty. Thereafter, when she raised alarm, her father Magar Singh came to the house and accused Kamaljeet @ Laddi ran away from her house by jumping the wall in front of her father. Thereafter, on the statement of complainant-Kiranjit Kaur, the present FIR has been registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties, vide compromise dated 08.10.2015 (Annexure P-2).

Upon notice, reply has been filed by the State taking therein the stand that the compromise cannot be accepted as the offences are non-compoundable.

Today, learned State counsel on instructions from ASI Pala Singh, has informed that the challan has been presented in this case.

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 08.10.2015 (Annexure P-2), by way of order dated 10.08.2016, by this Court.

In compliance of order dated 10.08.2016 of this Court, the report of the Judicial Magistrate 1st Class, Budhlada, dated 24.10.2016 has been received. As per the report, the statement of complainant has been recorded and she has no objection, if the present FIR registered against the petitioner is quashed.

Consequently, in view of the above-said facts and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another**, 2008(2) RCR (Criminal) 910; **Madan Mohan Abbot Vs. State of Punjab**, 2008(2) RCR (Criminal) 429 and 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, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.76 dated 27.09.2015, under Sections 376, 511 and 451 IPC, registered at Police Station City Budhlada, District Mansa and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise deed dated 08.10.2015 (Annexure P-2).

The present petition stands disposed of.

February 15, 2017

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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No