

CRM-M-1248 of 2017

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-1248 of 2017
Date of Decision: 19.05.2017**

Mam Chand

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Pardeep Bajaj, Advocate for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.129 dated 15.09.2016, for the offence under Sections 376, 450, 506 IPC, registered at Police Station Women, District Faridabad (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 02.01.2017 (Annexure P-2).

It was alleged by the complainant that petitioner had committed rape upon her while she was alone in her house. On this basis, FIR has been registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Pushpa Devi, vide compromise dated 02.01.2017 (Annexure P-2).

In compliance with the order dated 18.01.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Faridabad, has been received in this regard. As per report, Pushpa Devi-complainant and accused-petitioner appeared before the trial Court on 03.02.2017 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Pushpa Devi and accused-petitioner were recorded to the effect that they have compromised

the matter and Pushpa Devi-complainant has no objection if the present FIR

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is quashed against the accused/petitioner. Statements of accused-petitioner 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 dated 06.02.2017 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.129 dated 15.09.2016, for the offence under Sections 376, 450, 506 IPC, registered at Police Station Women, District Faridabad (Annexure P-1), is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

19.05.2017
anil

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