

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19141-2016 (O&M)

Date of Decision:- 18.05.2017

Balour Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jaswinder Singh Grewal, Advocate for the petitioner.

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

Ms. Manpreet Kaur, Advocate, for respondent Nos.2 and 3.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.28 dated 18.03.2016, under Sections 451 and 354, registered at Police Station Sadar Abohar, District Fazilka (charge framed under Sections 452, 354, 354-A IPC and Section 8 of POCSO Act) and all the subsequent proceedings arising therefrom, on the basis of compromise dated 19.05.2016 (Annexure P-1).

Brief facts of the case are that on 16.03.2016 when daughter of complainant Sandeep Kaur was alone at her house, present petitioner came to her house, caught hold her hand and misbehaved with her. On hearing of hue and cry, the petitioner ran away from the spot. Thereafter, the present F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that now keeping in view the peace and harmony, the matter has now been amicably settled between the parties, on the basis of compromise dated 19.05.2016 (Annexure P-1).

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 19.05.2016 (Annexure P-1), by way of order dated 27.02.2017, by this Court.

In compliance of order dated 27.02.2017 of this Court, the report of the Additional Sessions Judge, Fazilka, dated 16.03.2017 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have been recorded to the same effect.

Consequently, in view of the above-said report 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.28 dated 18.03.2016, under Sections 451 and 354, registered at Police Station Sadar Abohar, District Fazilka and all the subsequent proceedings arising therefrom qua petitioner are hereby quashed, on the basis of compromise dated 19.05.2016 (Annexure P-1).

The present petition stands disposed of.

May 18, 2017

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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No