

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

Crl. Misc. No. M-1879 of 2017

Date of decision : 03.03.2017

Sapan Walia

.....Petitioner

versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.K. Walia, Advocate
for the petitioner

Ms. Mahima Yashpal, AAG, Haryana

Mr. Harpal Preet Singh, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 162 dated 12.07.2016 under Sections 323/506/376 IPC and Section 3 of S.C./S.T Act and Section 4 of POCSO Act, registered at Police Station Naraingarh, District Amabla, is being sought, on the basis of compromise deed dated 12.01.2017 (P-2).

The allegations in the F.I.R are that petitioner developed physical relations with respondent No. 2 on the pretext of marriage. Further on 12.07.2016, he abused respondent No. 2 and beaten her parents.

Learned counsel for the petitioner however submits that the petitioner has now solemnized marriage with respondent No. 2 and respondent No. 2 who is present in the Court has been identified by Investigating Officer. She stated that she is residing happily with the petitioner in the matrimonial home

In compliance of order dated 20.01.2017, report dated

27.02.2017 of Sub Divisional Judl. Magistrate, Naraingarh has been received in this regard. As per report, statement of parties have been recorded. The complainant stated that the matter stands compromised between the parties and she does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioner. The compromise has been entered voluntarily. To the same effect is the statement given by petitioner.

Keeping in view the above status report dated 27.02.2017 and the fact that respondent No. 2 is residing happily with the petitioner, the present petition is allowed and FIR No. 162 dated 12.07.2016 under Sections 323/506/376 IPC and Section 3 of S.C./S.T Act and Section 4 of POCSO Act, registered at Police Station Naraingarh, District Amabla is quashed along with all consequential proceedings, in view of the judgment of the Hon'ble Supreme Court in cases 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 as no useful purpose would be served in prolonging the litigation since the daughter of the complainant is residing happily with the petitioner.

03.03.2017

G Arora

(RITU BAHRI)
JUDGE

*Whether speaking/reasoned**Yes**Whether reportable**No*