

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2069-2017

Date of Decision:- 24.05.2017

Shambhu @ Shammu and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioners.**

Ms. Anmol Grewal, DAG, Punjab.

**Mohd. Salim, Advocate
for respondent No.5.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.67 dated 30.08.2012, under Sections 363, 366 IPC and Section 4 of POCSO Act, registered at Police Station Qadian, Police District Batala, District Gurdaspur and order dated 30.09.2013 (Annexure P-2) vide which the petitioners have been declared proclaimed offenders, on the basis of compromise dated 05.12.2016 (Annexure P-3).

Brief facts of the case are that on 14.08.2012, daughter of complainant/respondent No.2, namely, Raveena @ Guchhan, had gone to the market to buy some fruit. After waiting for sometime, when she did not return, the complainant came to know that her daughter had been enticed away by accused persons to marry her to Sharif son of Hanif. Thereafter, the F.I.R was registered against the accused.

Learned counsel for the petitioners submits that keeping in

view the peace and harmony, the matter has now been amicably settled

between the parties with the intervention of respectable persons, vide compromise dated 05.12.2016 (Annexure P-3).

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 05.12.2016 (Annexure P-3), by way of order dated 18.04.2017, by this Court.

In compliance of order dated 18.04.2017 of this Court, the report of the Judicial Magistrate 1st Class, Batala dated 17.05.2017 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 petitioners is quashed. Statements of the petitioners 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.67 dated 30.08.2012, under Sections 363, 366 IPC and Section 4 of POCSO Act, registered at Police Station Qadian, Police District Batala, District Gurdaspur; order dated 30.09.2013 (Annexure P-2) vide which the petitioners have been declared proclaimed offenders and all the subsequent proceedings arising therefrom, qua petitioners, are hereby quashed, on the basis of compromise dated 05.12.2016 (Annexure P-3).

The present petition stands disposed of.

May 24, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No