

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2391 of 2017
Date of Decision: 19.04.2017

Sumit Naine

.....Petitioner

Vs.

State of U.T.Chandigarh and Anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms.Amarjit Kaur, Advocate, for the petitioners.

Mr.Ashima Mor, Advocate, for UT Chandigarh.

Mr.M.S.Punia, Advocate, for the complainant.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.123 dated 05.05.2016, for the offence under Sections 363-A, 366, 376 IPC registered at Police Station Sector-39, Chandigarh (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 03.01.2017 (Annexure P-2).

It was alleged by the complainant that her daughter was kidnapped by the petitioner with an intention to assault her. On this back background, the FIR has been registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Manoj Kumar and her daughter-Shivani, vide compromise deed dated 03.01.2017 (Annexure P-2).

In compliance with the order dated 25.01.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JSC, Chandigarh, has been received in this regard. As per report, Manoj Kumar-complainant with her daughter Shivani appeared before the trial Court on 14.02.2017 for getting their statements recorded in support of the compromise. In this regard statements of Manoj Kumar-

complainant with her daughter Shivani and accused-petitioner were recorded to the effect that they have compromised the matter and Manoj Kumar-complainant with her daughter Shivani have no objection if the present FIR is quashed against these accused. Statements of accused-petitioners 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 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.123 dated 05.05.2016, for the offence under Sections 363-A, 366, 376 IPC registered at Police Station Sector-39, Chandigarh (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

19.04.2017

anil

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