

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

**CRM No. M-2412 of 2017
Date of decision: 11.05.2017**

Kuldeep

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mayank Aggarwal, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Namit Khurana, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 435 dated 31.10.2016, under Sections 376 and 506 IPC, registered at Police Station, Sadar Sonipat, District Sonipat (Annexure P-1) is sought on the basis of compromise (Annexure P-2) effected between the parties.

The F.I.R was registered on the basis of complaint made by Aarti-respondent No.2 (complainant) with the allegation that on 30.10.2016, at about 8.30 P.M., Kuldeep-petitioner took her to Mandi Ladrada in a Santro Car on the pretext of getting a job for her. Thereafter, committed rape upon her in the car. He also threatened to kill her. In this background, the FIR was registered.

After registration of the FIR, with the intervention of respectable persons, the matter has been amicably resolved between the parties vide compromise deed dated 19.01.2017 (Annexure P-2).

In compliance with the order dated 15.03.2017 passed by this

Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Sonipat, has been received in this regard. As per report, Aarti-respondent No.2 (complainant) made her statement on 03.04.2017 to the effect that she has got registered the above said FIR against the accused-petitioner due to some misunderstandings under the influence of some other person. He has not committed any wrong act with her. She has no objection if, the above said FIR is quashed. Separate statement of Kuldeep-petitioner was also recorded to the same effect. In view of separate statements given by 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 Ors. 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. 435 dated 31.10.2016, under Sections 376 and 506 IPC, registered at Police Station, Sadar Sonipat, District Sonipat, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

11.05.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No