

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-30291 of 2016  
Date of Decision: 31.05.2017

Vikram and others

.....Petitioners

Vs.

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present:-** Ms.Riffi Birla, Advocate for the petitioners.  
Mr.A.P.S.Gill, AAG, Punjab.  
Mr.Rupinder Kaur, Advocate, for respondents No.2 and 3.

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**RITU BAHRI, J. (ORAL)**

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.47 dated 09.06.2016, for the offence under Sections 376, 363, 366-A IPC registered at Police Station City Fazilka, District Fazilka, Punjab, along with all consequential proceedings arising therefrom, on the basis of compromise dated 05.07.2016 (Annexure P-2).

It was alleged by the complainant that on 06.06.2016 when he woke up in the morning then his daughter Paramjeet Kaur was not present at the home. He told about this to his brother Jarnail Singh who was staying in their neighbourhood. The all the relatives gathered to effect search of his daughter but all in vain. On 08.06.2016, the complainant received a phone call of her daughter Paramjeet Kaur saying that she was standing near railway station and you shall come and taken her. The complainant and his brother came to station and found his daughter Paramjeet Kaur in intoxicant condition. On asking her daughter, she disclosed that on 06.06.2016, petitioner No.1-Vikram @ Vicky kidnapped her on his motorcycle by sitting as a pillion rider at about 11 O'clock in the night and brought the prosecutrix at his home at Fazilka and put some intoxicating thing in the food and after the eating the food prosecutrix was not aware what happened to her and in

the morning she felt that Vikram committed rape upon her. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Milkha Singh and respondent No.3-Paramjit Kaur, vide compromise deed dated 05.07.2016 (Annexure P-2).

In compliance with the order dated 30.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Fazilka, has been received in this regard. As per report, complainant/respondent No.2-Milkha Singh and respondent No.3-Paramjit Kaur appeared before the trial Court on 26.10.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant/respondent No.2-Milkha Singh and respondent No.3-Paramjit Kaur were recorded to the effect that they have compromised the matter and with the intervention of respectables, engagement of Vikram-petitioner No.1 with Paramjit Kaur-respondent No.3 has been performed and at the time of majority of Paramjit Kaur, marriage of Vikram-petitioner No.1 with Paramjit Kaur-respondent No.3 will be solemnized and they have no objection if the present FIR is quashed against these accused/petitioners. Statements of accused-petitioners were also recorded to the same effect. In terms of compromise, petitioners have made a statement that we have solemnized the engagement of Vikram-petitioner No.1 with Paramjit Kaur-respondent No.3 and at the time of majority of Paramjit Kaur, they will solemnize marriage of both of them. 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.47 dated 09.06.2016, for the offence under Sections 376, 363, 366-A IPC registered at Police Station City Fazilka, District Fazilka, Punjab, is quashed along with all consequential proceedings

arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)  
JUDGE

31.05.2017  
*anil*

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|------------------------------------|---------------|
| <i>Whether speaking/reasoned :</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>          | <i>Yes/No</i> |