

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

**CRM No. M-32678 of 2016
Date of decision: 30.03.2017**

Gurdhian Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.S. Sidhu, Advocate,
for the petitioners.

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J.

Quashing of FIR No. 58 dated 17.05.2016, under Sections 363/366-A/376/506 IPC, registered at Police Station, Kot Ise Khan, District Moga (Annexure P-1) is sought on the basis of compromise dated 28.05.2016 (Annexure P-3).

The F.I.R was registered on the basis of statement made by Sandeep Kaur-respondent No.2 to the effect that on 16.05.2016, Gurdhian Singh and Gurdarshan Singh-petitioners had taken her from the school on the pretext that her father had met with an accident. However, in the way, they tied her legs and mouth with her *dupatta* and took her in a room situated in the fields. Thereafter, Gurdarshan Singh committed rape upon her. They 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 now been amicably resolved between the parties vide compromise (Annexure P-3).

In compliance with the orders dated 09.01.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate, Ist Class, Moga, has been received in this regard. As per report, Sandeep Kaur-respondent No.2 (complainant) made her statement on 17.02.2017 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners out of her own free will and without any coercion or pressure. The compromise will help in restoring good relations and harmony between the parties. She has no objection if, the above said FIR is quashed. Separate statements of Gurdhain Singh and Gurdarshan Singh-petitioners were 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. 58 dated 17.05.2016, under Sections 363/366-A/376/506 IPC, registered at Police Station, Kot Ise Khan, District Moga, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

30.03.2017
ajp

(RITU BAHRI)
JUDGE