

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3192-2017

Date of Decision:- 24.05.2017

Hardial @ Dyal and others

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manish Dadwal, Advocate, for the petitioners.

Mr. APS Gill, AAG, Punjab.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.88 dated 20.07.2016, under Sections 324, 323, 452 and 354 read with Section 34 IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur, on the basis of compromise dated 12.01.2017 (Annexure P-2).

Brief facts of the case are that on 29.06.2016 when complainant/respondent No.2 going to close the main gate of her house, accused-petitioner No.1 was standing in the door and she asked the accused to move from the door. Upon this, he started using bad language, followed her through the upstairs and tried to outrage her modesty. On her raising noise, her mother and brother came outside and tried to rescue her. Thereafter, petitioner Nos.2 and 3 also came there and took her brother outside in the street and started giving beatings to him. When many peoples of locality gathered at the place of occurrence, they ran away from the said place. Thereafter, the present FIR has been registered against the petitioners.

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 12.01.2017 (Annexure P-2).

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 12.01.2017 (Annexure P-2), by way of order dated 01.02.2017, by this Court.

In compliance of order dated 01.02.2017 of this Court, the report of the Chief Judicial Magistrate, Hoshiarpur, dated 19.05.2017 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.88 dated 20.07.2016, under Sections 324, 323, 452 and 354 read with Section 34 IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 12.01.2017 (Annexure P-2).

The present petition stands disposed of.

May 24, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No