

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32976-2016

Date of Decision:- 18.04.2017

Rahul and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Munish Gulati, Advocate
for the petitioners.**

Mr. APS Gill, AAG, Punjab.

None for respondent Nos.2 and 3.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.113 dated 25.05.2016, under Sections 452, 354(A)(1), 506, 511, 323 and 334 IPC, registered at Police Station City Ferozepur, District Ferozepur, on the basis of compromise/affidavit dated 02.08.2016 (Annexure P-2).

Brief facts of the case are that on 22.05.2016 all the members of the family of complainant had gone to their work, accused-Rahul, after jumping the boundary wall, had come to roof of her house and he tried to outrage her modesty. Thereafter, when she raised alarm, he ran away through the stairs. After some time, mother of accused Rahul, namely, Chindo, sister Mona and brother Sagar came to the house of the complainant, used filthy language, abused the family members of the complainant and also inflicted injury to her grandmother. Thereafter, on the statement of complainant, 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/affidavit dated 02.08.2016 (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/affidavit dated 02.08.2016 (Annexure P-2), by way of order dated 19.09.2016, by this Court.

In compliance of order dated 19.09.2016 of this Court, the report of the Chief Judicial Magistrate, Ferozepur dated 01.12.2016 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.113 dated 25.05.2016, under Sections 452, 354(A)(1), 506, 511, 323 and 334 IPC, registered at Police Station City Ferozepur, District Ferozepur and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise/affidavit dated 02.08.2016 (Annexure P-2).

The present petition stands disposed of.

April 18, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No