

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7888 of 2017
Date of Decision: 21.04.2017

Nitesh Kumar

.....Petitioner

Vs.

State of Haryana and anothers

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sanjay Vashisth, Advocate, for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.161 dated 25.05.2016, for the offence under Section 346 IPC (subsequently Section 346 is deleted and Section 366, 328, 506 IPC added) registered at Police Station City Dadri, District Bhiwani (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 21.02.2017 (Annexure P-3).

It was alleged by the complainant that his daughter had gone to market from the house but she has not returned home. On this background, the FIR was registered.

Reply has been filed by learned State counsel on behalf of respondent No.1, the same is taken on record. As per reply, the daughter of the complainant namely Shalu was recovered and her statement was recorded under Section 164 Cr.P.C.. She stated in her statement that the

giving books. He gave her cold drink and she became unconscious. He took her to Bhiwani, Gurgaon, Kurukshetra and Yamuna Nagar and kept her in hotels. He further forced her to sign some affidavits and got some photo shoots. Thereafter, he brought her to his home and threatened her of dire consequences in case she narrates the incident to her family. Upon this Section 346 IPC was omitted and Sections 366/328/506 IPC were added in the case.

During the pendency of the trial, the matter has been resolved between the petitioner and respondents No.2 and 3 i.e. Jai Parkash and Shalu, vide compromise deed dated 21.02.2017 (Annexure P-2).

In compliance with the order dated 08.03.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Additional Sessions Judge/Exclusive Court, Bhiwani, has been received in this regard. As per report, respondents No.2 and 3 i.e. Jai Parkash and Shalu and accused-petitioner appeared before the trial Court on 30.03.2017 for getting their statements recorded in support of the compromise. In this regard statements of respondents No.2 and 3 i.e. Jai Parkash and Shalu and accused-petitioner were recorded to the effect that they have compromised the matter and respondents No.2 and 3 i.e. Jai Parkash and Shalu has no objection if the present FIR is quashed against the accused/petitioner. Statements of accused-petitioner were also recorded to the same effect. 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

of this Court in the case of Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (CrI.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.161 dated 25.05.2016, for the offence under Section 346 IPC (subsequently Section 346 is deleted and Section 366, 328, 506 IPC added) registered at Police Station City Dadri, District Bhiwani (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

21.04.2017

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