

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

**Crl. Misc. No. M-8448-2017
Date of decision : 01.05.2017**

Pawan Kumar

.....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manu Loona, Advocate
for the petitioner

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

Mr. Harish Mehla, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 104 dated 28.08.2015 under Sections 452/354 IPC, registered at Police Station City Fazilka, District Fazilka and judgment of conviction dated 13.10.2016, is being sought on the basis of compromise deed dated 01.03.2017 (Annexure P-3)

The allegations against the petitioner is that the parents of petitioner were putting pressure on the complainant and her family members since long for her marriage with the petitioner but when the complainant and her family members did not agree for the same, the petitioner came in to the veranda of the house of the complainant and slept with her and started molesting her. Thereafter, when the complainant saw the petitioner, the petitioner hugged her tightly. On raising alarm, the accused fled away from the spot.

However, after conviction, the matter has now been duly

compromised, on the basis of compromise deed dated 01.03.2017 (Annexure P-3).

In compliance of order dated 14.03.2017, report dated 11.04.2017 of Chief Judicial Magistrate, Fazilka has been received in this regard. As per report, separate statement of the complainant and petitioner had been recorded and they stated that the matter has been duly compromised between them. The compromise has been entered voluntarily. The complainant has no objection if the F.I.R be quashed against the petitioner.

Consequently, in view of the status report dated 11.04.2017 and in view of the judgment of the Hon'ble Supreme Court in cases of **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. 104 dated 28.08.2015 under Sections 452/354 IPC, registered at Police Station City Fazilka, District Fazilka and judgment of conviction dated 13.10.2016, is quashed along with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of.

01.05.2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No