

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9977 of 2017
Date of Decision: 04.05.2017

Sahlesh

.....Petitioner

Vs.

UT Chandigarh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.A.S.Dhindsa, Advocate for the petitioner.

Ms.Ashima Mor, APP for U.T.Chandigarh.

Mr.J.S.Bhindar, Advocate, for respondents No.2 and 3.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.284 dated 30.11.2016, for the offence under Sections 363, 366, 376 IPC and Section 4 of POCSO Act, 2012 were added lateron, registered at Police Station Sector-36, Chandigarh, along with all consequential proceedings arising therefrom, on the basis of compromise dated 17.03.2017 (Annexure P-2).

It was alleged by the complainant that her daughter Chanda-respondent No.3 has been kidnapped by the petitioner who had gone to school but did not come at home. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondents No.2 and 3 i.e. Mishri Lal and his daughter Chanda respectively, vide compromise deed dated 17.03.2017 (Annexure P-2).

In compliance with the order dated 23.03.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Additional Sessions Judge-cum-Judge Special Court, Chandigarh, has been received in this regard. As per report, respondents

No.2 and 3 i.e. Mishri Lal and his daughter Chanda respectively and accused-petitioner appeared before the trial Court on 20.04.2017 for getting their statements recorded in support of the compromise. In this regard statements of respondents No.2 and 3 i.e. Mishri Lal and his daughter Chanda respectively and accused-petitioner were recorded to the effect that they have compromised the matter and respondents No.2 and 3 i.e. Mishri Lal and his daughter Chanda respectively have 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 Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and others 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.284 dated 30.11.2016, for the offence under Sections 363, 366, 376 IPC and Section 4 of POCSO Act, 2012 were added lateron, registered at Police Station Sector-36, Chandigarh, is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

04.05.2017

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