

Crl. Misc. M- 28014 of 2018 (O&M)

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M- 28014 of 2018 (O&M)
Date of Decision: 09.07.2018

Nishan Singh @ Gurjant Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Madan Sandhu, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for quashing of FIR No.161 dated 17.11.2017 registered under Sections 363, 366-A and 376 of Indian Penal Code and Section 4 of the POCSO Act, 2012 at Police Station Siwan, District Kaithal and all the subsequent proceedings therefrom (Annexure P/1) on the basis of compromise dated 03.05.2018 (Annexure P/2).

Learned counsel for the petitioner herein contends that in fact the present FIR is an abuse of process of law on account of the fact that the prosecutrix-Simranjeet Kaur and her parents have since turned hostile and have not supported the case of the prosecution. It is contended that on these very grounds the petitioner herein has been allowed regular bail while further contending that the prosecutrix is now residing with the petitioner herein. It is further prayed that the compromise deed which has been

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effected between the parties on 03.05.2018 would also reflect that the prosecutrix is in fact residing with the petitioner herein and the parents have also given their consent to the same.

At this stage, appearance has been caused by Sh. Rawat Singh Sidhu, Advocate on behalf of the complainant, who admits to the factum of compromise and that the prosecutrix is now residing with the petitioner herein.

On asking of Court, Mr. P.P. Chahar, DAG, Haryana, learned counsel for the respondent-State accepts notice.

I have heard learned counsel for the parties and in view of the fact that the matter is already pending before the trial Court, this Court deem it appropriate to dispose of the instant petition by giving a direction to the trial Court to decide the matter expeditiously within a period of 03 months on receipt of certified copy of this order.

Petition stands disposed of accordingly.

July 09, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No