

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

**CRM-M-38869-2017 (O&M)**

**Date of decision: 18.12.2018**

**Chahat Kakan @ Manju and others**

**...Petitioners**

**Versus**

**State of Punjab and another**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. Rishu Mahajan, Advocate  
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

None for respondent No.2.

**RAJ SHEKHAR ATTRI, J.(Oral)**

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.120 dated 01.07.2015, registered under Sections 363, 366, 365, 506, 120-B of the Indian Penal Code (for short 'IPC') and Sections 7 and 8 of the Protection of Children from Sexual Offences (for short 'the Act') at Police Station Basti Bawa Khel, Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 18.09.2017 (Annexure P-2).

In the present case, the FIR was registered on the statement of Avtar Singh son of Karnail Singh. Now, dispute between the parties has been resolved.

Vide order dated 26.09.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Additional Sessions Judge, Jalandhar wherein it has been reported that

statements of the parties have been recorded and compromise entered between the parties is genuine one, which is not the result of any pressure or coercion.

Learned counsel for the State has not disputed that the parties i.e. petitioners, respondent No.2 (complainant), have arrived at a settlement with an intent to give burial to their differences.

Initially FIR was registered under Sections 363, 366, 365, 506, 120-B IPC and subsequently, offences under Sections 7 and 8 of the Act was added.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in 'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543 and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed and FIR No.120 dated 01.07.2015, registered under Sections 363, 366, 365, 506, 120-B IPC and Sections 7 and 8 of the Act at Police Station Basti Bawa Khel, Jalandhar and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

**December 18, 2018**  
*m. sharma*

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | yes/no |
| Whether reportable        | : | yes/no |