In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M- 47811 of 2017
Date of Decision: October 25, 2018

Harinder Singh @ Hanider Singh @ Honey

..... Petitioner

Versus

State of Punjab and others ..... Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Subhash Aggarwal, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG., Punjab.

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ANITA CHAUDHRY, J (ORAL)

The instant petition is for quashing of FIR No. 117 dated 20.7.2016 registered under Sections 363, 366-A IPC and Section 12 of POCSO Act, Police Station Morinda (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is genuine, out their free will and without any pressure or coercion. The trial Court has also sent original statements of the parties.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent Nos. 2 to 4 are the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

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integrity of this document

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioner.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

October 25, 2018
archana

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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