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

CRM-M-6371-2019

Date of decision: 09.04.2019

Jatinder Singh @ Chahia

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Manpreet Kaur, Advocate
for respondent No. 2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 178 dated 29.12.2017 for offences punishable under Section 376 IPC and Section 4 of the Protection of Children from Sexual offences Act, 2012, registered at Police Station Dhariwal District Gurdaspur, Punjab along with all consequential proceedings emanating therefrom, on the basis of the compromise.

In the present case, the aforesaid FIR was filed by respondent No. 2/complainant Manpreet Kaur. Now, the dispute between the parties has been resolved by way of compromise and residing together.

Vide order dated 11.02.2019, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by Additional Sessions Judge, Gurdaspur, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State as well as counsel for respondent No. 2 have not disputed that the parties i.e. petitioners and respondent No. 2 have arrived at a settlement with an intent to give burial to their differences.

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 Supreme Court in '**Gian Singh vs. 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. 178 dated 29.12.2017 for offences punishable under Section 376 IPC and Section 4 of the Protection of Children from Sexual offences Act, 2012, the proceedings emanating therefrom stand quashed qua the petitioners.

09.04.2019

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**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No