

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

CRM-M-6732-2019 (O&amp;M)

Date of decision: April 02, 2019

**Ajay Kumar and others****...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. Vipul Dharmani, Advocate  
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Aarti Goyal, Advocate for  
Mr. Praveen Chander Goyal, Advocate  
for respondents No.2 and 3.

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

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.142 dated 22.12.2018, under Sections 323, 341, 354, 34 of the Indian Penal Code, 1860 (for short 'IPC') and Section 12 of Protection of Children from Sexual Offence Act, 2002, registered at Police Station Nurpur Bedi, District Ropar, Punjab and subsequent proceedings arising therefrom on the basis of compromise dated 26.01.2019 (Annexure P-2).

The facts in brief are that on 22.12.2018, a minor victim was going on a bicycle after attending her school and on his way she was waylaid by the petitioners. She fell on the ground. They started dragging her. In the meantime, Subedar Kashmir Singh came at the spot and rescued her.

In the present case, the FIR was registered on the statement of Amanpreet Kaur daughter of Nirmal Singh. Now, dispute between the parties has been resolved.

Vide order dated 13.02.2019, the parties were directed to appear before the learned trial court/illqa magistrate to get their statements recorded

Pursuant thereto, a report has been submitted by the learned Sub Divisional Judicial Magistrate, Sri Anandpur Sahib, wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.

Learned State counsel as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondents No.2 and 3, 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 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, in the interest of justice and for the welfare of the victim, the petition is allowed. Consequently, FIR No.142 dated 22.12.2018, under Sections 323, 341, 354, 34 IPC and Section 12 of Protection of Children from Sexual Offence Act, 2002, registered at Police Station Nurpur Bedi, District Ropar, Punjab and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

**April 02, 2019**  
*m. sharma*

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

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