

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20331-2018

Date of Decision:-30.04.2019.

Manpreet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Lalit Pathak, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.32 dated 31.03.2018 under Sections 363, 366-A of the Indian Penal Code and Sections 5 and 6 of the POCSO Act registered in Police Station Bhadson, District Patiala and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ritu Rani wife of Harmesh Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

The FIR was lodged by the mother of the prosecutrix on the ground that her minor daughter has been kidnapped by the petitioner on the pretext of marriage and now compromise has been effected between the parties.

Vide order dated 29.11.2018, 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 the Judicial Magistrate, 1st Class, Nabha wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and respondent No.2 (complainant) 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, the petition is allowed, FIR No.32 dated 31.03.2018 under Sections 363, 366-A of the Indian Penal Code and Sections 5 and 6 of the POCSO Act registered in Police Station Bhadson, District Patiala and proceedings emanating therefrom stand quashed qua the petitioner.

(RAJ SHEKHAR ATTRI)
JUDGE

April 30, 2019.

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Whether speaking/reasoned:-

Whether Reportable:-

Yes / No

Yes / No.