

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

I.

CRM-M-12623-2019

Date of decision: 3.7.2019

Major Singh and another

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

II.

CRM-M-9037-2019

Gurmeet Singh and another

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Bikramjit Singh Bajwa, Advocate,
for the petitioner(s).

Mr. Rana Harjasdeep Singh, DAG, Punjab

Mr. Vikki Sharma, Advocate,
For respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.

This order shall dispose of the aforesaid two petitions as the
same have arisen against the same FIR.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed

PARITOSH KUMAR for quashing of FIR No. 59 dated 8.5.2018 for offence punishable under
2019.07.11 10:32
I attest to the accuracy and
authenticity of this document

Sections 363, 366-A, 120-B of the Indian Penal Code and Sections 3 & 4 of Protection of Children from Sexual Offences Act registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, the FIR was registered on the statement of Harjit Singh son of Sohan Singh. Now, dispute between the parties has been resolved by way of compromise.

Ramandeep Kaur is present in Court. She has submitted an affidavit to the effect that she and Major Singh had performed marriage and are residing together as wife and husband. Said affidavit is taken on record.

Learned counsel for the complainant submits that due to misunderstanding, FIR was lodged and now both the parties are residing together. Major Singh was enrolled in the Indian army and is serving as Spy.

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

For the foregoing reasons, the petition is allowed, FIR No. 59 dated 8.5.2018 for offence punishable under Sections 363, 366-A, 120-B of the Indian Penal Code and Sections 3 & 4 of Protection of Children from Sexual Offences Act registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioners in CRM-M-12623-2019 and CRM-M-9037-2019.

July 3, 2019

Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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