

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

CRM-M-27569-2018

Date of decision: January 31, 2019

Paramjit Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Neeraj Madaan, Advocate
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Gurbir Singh Pannu, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.20 dated 27.03.2018, under Sections 354-A, 506 of the Indian Penal Code (for short 'IPC'); Section 376 IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012 (added later on), registered at Police Station Lakho Ke Behram, District Ferozepur and subsequent proceedings arising therefrom on the basis of compromise dated 20.06.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Usha Rani wife of Paramjit Singh.

Vide order dated 05.07.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to compromise.

Pursuant thereto, a report has been submitted by learned Judicial Magistrate Ist Class, Guruharsahai wherein it has been reported that neither complainant Usha Rani nor accused Paramjit Singh put in

appearance to record their statements. However, Harmesh Singh, father of the complainant suffered a statement that no compromise has been effected between the parties.

Father of respondent No.2-complainant Usha Rani is present and has submitted that no compromise has been effected. Even he suffered similar statement before the court below. There is dispute with regard to age of the petitioner.

Both the parties has placed on record the certificates showing date of birth of the prosecutrix. Father of the prosecutrix has placed on record photocopy of the senior secondary school certificate showing her date of birth as 03.01.2003 whereas learned State counsel has placed on record photocopy of birth certificate of the prosecutrix issued by the District Registrar, Ferozepur showing her date of birth as 31.01.1999.

Learned State counsel and father of complainant are not agreeing with the compromise. He could not be compelled to do so.

No case is made out to quash the proceedings.

Petition is dismissed accordingly.

However, State is directed to proceed in accordance with law.

(RAJ SHEKHAR ATTRI)
JUDGE

January 31, 2019
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No