

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-46715 of 2018 (O&M)
Date of Decision: April 01, 2019.

Sukhwinder Singh @ Sukhja and othersPetitioners
versus
State of Punjab and anotherRespondents

CORAM: HON'BLE MR.JUSTICE AJAY TEWARI.

Present: Mr.N.S.Swaitch, Advocate, for the petitioners.
Mr.Ramandeep Sandhu, Senior DAG, Punjab.
None for respondent No.2.

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Ajay Tewari, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.114 dated 21.08.2018 registered at Police Station Anandpur Sahib, District Rupnagar under Section 377, 323, 511 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

At the outset, Senior Deputy Advocate General, Punjab has argued that this FIR should not be quashed on the basis of compromise since the alleged victims are children.

Counsel for the petitioners has argued that actually the petitioners are put to piquant position as earlier CRM-M-44522 of 2018 filed by the petitioners was rendered infructuous in view of the fact that compromise was arrived at between the parties and they have filed the present petition for quashing of the FIR on the basis of that compromise.

would be left with no other remedy.

Senior Deputy Advocate General, Punjab states that in case the Court is not inclined to quash the present FIR on the basis of compromise, he would not have any objection if the previous petition, i.e., CRM-M-44522 of 2018 is revived and heard on merits.

In view of the above, I am of the considered opinion that FIR for the offences under the Juvenile Act should not normally be quashed on the basis of compromise. Consequently, the present petition is dismissed but previous petition, i.e., CRM-M-44522 of 2018 is directed to be revived and listed for hearing as per roster on 10.04.2019, after obtaining appropriate orders from Hon'ble the Chief Justice.

April 01, 2019
mohinder

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No