

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

281

CRM-M-30620-2019(O&M)

Date of Decision:31.10.2019

Laxmi and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Ms. Amarpreet Kaur, Advocate for
Mr. Nakul Sharma, Advocate,
for the petitioners.**

**Ms. Jasleen Kaur Sidhu, AAG, Punjab,
for respondent No.1.**

None for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.11 dated 20.01.2019 under Sections 363, 366-A, 120-B IPC read with Section 17 of the POCSO Act, registered at Police Station City Patti, District Tarn Taran (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 05.07.2019 (Annexure P-3).

This Court vide order dated 19.07.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

Learned Additional District & Sessions Judge, Tarn Taran and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.09.2019 to the effect that the compromise arrived at between the parties appears to be a voluntary act of parties without there being any sort of pressure from anyone.

Though no one is present on behalf of respondent No.2-complainant-Navdeep Sood @ Deepak Sood in Court today, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Additional District & Sessions Judge, Tarn Taran on 22.08.2019. The same is reproduced as under:-

“The present FIR No.11/20.01.2019 was got registered by me against Lakshmi and Rohan Chandan u/s 363/366-A/120-B IPC and U/s 17 POCSO Act, at PS City Patti, District Tarn Taran. That the compromise has been effected between me and accused persons with the intervention of respectables of the society for maintaining peace and harmony in the society. I have no grudge against the accused persons. Kindly the said FIR/case may be quashed against Lakshmi and Rohan Chandan accused in the present case on the basis of compromise.”

Apart from above, a similar statement has also been made by respondent No.3-Divya Soods, whereby she has shown no objection to the present FIR being quashed.

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble

10 SCC 303, this petition is allowed and FIR No.11 dated 20.01.2019 under Sections 363, 366-A, 120-B IPC read with Section 17 of the POCSO Act, registered at Police Station City Patti, District Tarn Taran (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 05.07.2019 (Annexure P-3).

October 31, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No