

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

CRM-M-30788-2019

Date of decision:30.09.2019

CHHINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Rajdeep Singh Gill, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No.40 dated 3.5.2019 under Sections 363, 366, 376, 323, 506 and 120-B, Police Station City Jalalabad (W), District Fazilka and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Although one of the offence alleged is an offence under Section 376 IPC and normally this Court would not, in exercise of inherent jurisdiction quash the FIR but in the present case, the petitioner is stated to have solemnized marriage with complainant/victim. The petitioner and

prosecutrix have entered into a compromise and the complainant does not have any objection in quashing of the FIR.

3. Pursuant to the direction issued by this Court, statements of the petitioner and respondent No.2 have been recorded, wherein respondent No.2 -complainant has categorically stated that she has solemnized marriage with the petitioner out of her own free will and without any coercion or threat from anyone and she has no objection if the FIR in question is quashed.
4. Report of learned Sub-Divisional Judicial Magistrate, Jalalabad (West) has been received wherein it has been opined by learned Magistrate that the compromise effected between the parties is genuine and has been effected voluntarily.
5. In view of the aforesaid peculiar facts wherein the petitioner has solemnized marriage with the complainant and who have amicably resolved their issues and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.40 dated 3.5.2019 under Sections 363, 366, 376, 323, 506 and 120-B, Police Station City Jalalabad (W), District Fazilka and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

(GURVINDER SINGH GILL)
JUDGE

30.09.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No