

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4260-2020

Date of Decision : January 31, 2020

Pardeep KumarPetitioner

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Bhupinder Kumar Gupta, Advocate
for the petitioner.

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MANJARI NEHRU KAUL, J. (Oral)

Prayer in the present petition is for quashing of FIR No. 143 dated 14.09.2019 under Sections 376 & 506 IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station City Batala, District Batala (Annexure P1) along with all other subsequent proceedings arising therefrom on the basis of compromise dated 13.12.2019 (Annexure P3).

Notice of motion.

At this stage, Mr. Sumit Kalyan, Advocate, has put in appearance on behalf of respondents No. 2 and 3 and filed his Power of Attorney. The same is taken on record.

A perusal of the contents of the aforesaid FIR which was registered on the statement of the mother of the victim reveals that serious allegations have been levelled against the petitioner of having violated the person of her minor daughter. Even though the respondents who are

represented today through a counsel submit that a compromise has been arrived at between the parties and they do not have any grudge against each other, however, in view of the order of the Supreme Court in ***State of M.P. v. Madanlal*** 2015 (3) SCC (Cr1.) 287 as well as the fact that it is a non-compoundable offence, no ground for quashing of FIR No. 143 dated 14.09.2019 under Sections 376 & 506 IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station City Batala, District Batala (Annexure P1) on the basis of compromise dated 13.12.2019 (Annexure P3) is made out.

Petition is dismissed.

31.01.2020
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No