

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

CRM-M No.28853 of 2020

Date of Decision : 25.11.2020

Sushil Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Akash Deep Sethi, Advocate
for the Petitioner.

Mr. Bhupender Beniwal, Asstt. Advocate General, Punjab
for Respondent No.1/State.

Mr. Abhishek Satija, Advocate
for the Complainant/Respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the Petitioner, who is the accused in F.I.R No.188, dated 23.12.2014, under Sections 406/498-A of the Indian Penal Code (for short, 'the IPC') and Section 8 of Protection of Children from Sexual Offences Act, registered at Police Station City-1, Tehsil Abohar, District Fazilka, Punjab (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the Complainant/Respondent No.2 has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to

genuineness of the compromise arrived at between the parties. The Ld. Sub Divisional Judicial Magistrate, Abohar, vide report dated 9th November, 2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No. 2 is represented by her Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Sub Divisional Judicial Magistrate, Abohar, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the Complainant/Respondent No.2 has herself compromised the dispute with the Petitioner/accused.

5. In the circumstances, the present petition is allowed. F.I.R No.188, dated 23.12.2014, under Sections 406/498-A of the IPC and Section 8 of Protection of Children from Sexual Offences Act, registered at Police Station City-1, Tehsil Abohar, District Fazilka, Punjab (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the Petitioner.

November 25, 2020

Dpr

(SUDIP AHLUWALIA)

JUDGE

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