

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

111

CRM-M-25475-2020

Date of Decision : 01.09.2020

Abdul Khalique and others

..... Petitioners

VS

State of Punjab and others

.... Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

Present : Mr.G.N.Malik, Advocate  
for the petitioners.

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**RITU BAHRI, J. (Oral)**

Quashing of FIR No. 159 dated 23.07.2020, under Sections 323, 354 and 506 IPC and Section 8 and 12 of POCSO Act, registered at Police Station, Amargarh, District Sangrur (Annexure P-1) is sought on the basis of compromise dated 05.08.2020 (Annexure P-2).

Learned counsel for the petitioners while referring Annexure P-1 states that respondent No.2, who is 16 years of age, has made a statement that on the date of incident i.e. 22.07.2020, when she was coming back from a shop after purchasing of detergent packet, then petitioner No.1- Abdul Khalique struck the iron stick on her head and his brothers Mani and Hamza caught hold her from arm and she tried to save herself. Thereafter, brothers Mani and Hamza tried to outrage her modesty. At the end of the FIR, she further states that few days ago, her father Mehardeen had a dispute with Abdul Khalique and in this background, they misbehaved with the complainant.

Notice of motion.

On asking of the Court, Mr. Hittan Nehra, Addl.A.G., Punjab, accepts notice on behalf of the State and on instructions from SI Rajinder Kaur has informed that even the statement of the complainant under Section 161 Cr.P.C. has not been recorded so far. There was a prior dispute of the father of the complainant with the petitioners complainant had suffered simple injury on her head and the matter has now been duly compromised between the parties.

At this stage, Mr. Manish singh, Advocate has put in appearance on behalf respondents No.2 to 4. He is not disputing regarding the identity proofs Annexures P-3 and P-4 as well as compromise deed (Annexure P-2) which are placed on record by learned counsel for the petitioners.

Consequently, in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Keeping in view the prevailing situation of Covid-19, since the statement of the complainant has not been recorded under Section 161 Cr.P.C. and compromise is not being disputed by the respondents, minor injury was caused to the complainant and in the FIR, she herself stated that there was a dispute between her father and the petitioners, the compromise has been effected. FIR No. 159 dated 23.07.020, under Sections 323, 354 and 506 IPC and Section 8 and 12 of POCSO Act, registered at Police

Station, Amargarh, District Sangrur, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

01.09.2020  
*anju*

(RITU BAHRI)  
JUDGE

Whether Speaking/Reasoned: Yes/No  
Whether Reportable : Yes/No