

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

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**CRM-M-5503-2021 (O&M)
Decided on : 01.10.2021**

Ravinder Kumar Sharma and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vivek K. Thakur, Advocate
for the applicant-petitioner(s).

Mr. Amit Mehta, Sr. DAG, Punjab.

Mr. Gulshan K. Moudgil, Advocate
for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (Oral)

CRM-31848-2021

This is an application under Section 482 Cr.PC for pre-poning the date of hearing in the main case from 25.11.2021 to an early date.

After hearing learned counsel for the parties, perusing the averments made in the application, same is allowed and the date of hearing in the instant case is advanced from 25.11.2021 to today itself.

CRM-M-5503-2021

The instant petition is for quashing of FIR No. 0197, dated 10.09.2020, lodged under Sections 354, 354-A, 354-B, 363, 366, 506, 452, 323 of IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, 'the POCSO Act'), registered at Police Station Nangal, District Rupnagar (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of Compromise dated 31.01.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 08th February, 2021 of the coordinate Bench of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court, on 01.03.2021, to get their respective statements recorded with respect to the compromise so arrived at between them, in the following terms:

*“Learned counsel for the petitioners submits that with the intervention of the respectables, the parties have now amicably settled their dispute. He has placed reliance upon the judgments passed by the Co-ordinate Benches of this Court in **CRM-M-36158-2015**, titled, **“Manpreet Singh @ Mani Vs. State of Punjab and others”** decided on **01.12.2015**, **CRM-M-9069-2017**, titled, **“Parkash Chand Vs. State of Punjab and another”** decided on **12.05.2017**, **CRM-M-39056-2018**, titled, **“Manjit Singh and others Vs. State of Punjab and others”** decided on **12.02.2020** and **CRM-M-34880-2018**, titled, **“Swaran Singh Vs. State of Punjab and others”** decided on **12.02.2020**.”*

Report has since been received from the learned ASJ, Rupnagar, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed. The trial Court has annexed photocopies of the statements of the parties along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 & 3 are the only aggrieved

person in the FIR in question.

In view of the report of the learned ASJ, Rupnagar, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

October 01, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No