

126.

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-9115-2021

Date of Decision: 24.08.2021

(Heard through VC)

HARJIT SINGH @ HARJEET SINGH SANGHA Petitioner

Versus

STATE OF HARYANA AND ANOTHER Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amjad Khan, Advocate,
for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana

JAISHREE THAKUR.J (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.171 dated 05.12.2019 registered under Sections 376, 506 of Indian Penal Code at Police Station Women, Sector 5, District Panchkula (Annexure P-1) and all subsequent proceedings arising thereof, on the basis of compromise dated 02.12.2020 (Annexure P-2).

2. Learned counsel for the petitioner herein would contend that the FIR was got registered on account of a misunderstanding between the parties and since there is a compromise entered into on 02.12.2020, the FIR deserves to be quashed and valuable time of the Court would be saved. He has relied upon judgment rendered in *Kulwinder Singh and others Versus*

State of Punjab and another 2007 (3) RCR (Criminal) 1052 wherein it has

been held that the parties can compromise the matter even in non-compoundable offences.

3. Having heard learned counsel for the petitioner, this Court finds no ground for quashing the FIR as Section 376 IPC has been invoked against the petitioner herein. Reference in this regard can be made to a judgment rendered by the Hon'ble Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another, Criminal Appeal No.1723 of 2017 (arising out of SLP (Crl.) No.9549 of 2016), decided on 04.10.2017*** wherein it has been held that the court should not quash the proceedings under Section 376 IPC based on a compromise.
4. Consequently, the instant petition is dismissed, leaving it open to the parties to avail any other remedy available to them.

(JAISHREE THAKUR)
JUDGE

24.08.2021

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No