

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

248

(Through Video Conferencing)

(1)

CRM-M-14592-2021

Date of decision: 26.10.2021

Gurwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

(2)

CRM-M-14785-2021

Har minder Singh @ Ranga

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Sarika Gupta, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab
for respondent No.1-State.

Mr. Shubham Gupta, Advocate for
Mr. J.S. Thind, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petitions are for quashing of FIR No.09, dated 22.01.2020, lodged under Sections 354-A and 354-D IPC, Sections 67 and 67A of the IT Act and Section 12 of the POCSO Act registered at Police Station Rahon, District SBS Nagar (Nawanshahr) and the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-3) arrived at, between the parties.

It was the case of the petitioners that on account of some misunderstanding the FIR in question came to be registered against them. The petitioners were alleged to have been indulging in eve-teasing of the victim aged fourteen and half years and had made some

obscene photographs of the victim viral on WhatsApp. However, subsequently with the intervention of the respectables and elders of the families, the matter was amicably settled.

Vide order dated 24.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 27.09.2021 to get their statements recorded regarding the compromise arrived at, between them.

Reports have since been received from learned Judicial Magistrate, Ist Class, SBS Nagar and Judge (Special Court), SBS Nagar 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.

Learned Judicial Magistrate, Ist Class, SBS Nagar and Judge (Special Court), SBS Nagar have annexed the statements of the parties in original, alongwith their report.

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

In view of the reports of the learned Judicial Magistrate, Ist Class, SBS Nagar and Judge (Special Court), SBS Nagar 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 petitions are 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.

26.10.2021

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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