

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

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**CRM-M-22300-2021 (O&M)
Decided on : 05.07.2021**

GURPREET @ GURPREET VIRDI @ GOPI AND OTHERS

. . . Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

. . . Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

**PRESENT: Mr. Saurabh Kapoor, Advocate
for the petitioner(s).**

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., for quashing the FIR No.238 dated 11.09.2020 under Sections 376, 506, 120-B of the IPC and Section 4 of the POCSO Act, registered at Police Station Division No.7, Jalandhar and all the consequential proceedings arising therefrom on the basis of compromise dated 18.01.2021 (Annexure P-3).

Learned counsel contends that subsequent to the registration of the FIR in question, the matter has been amicably settled between the parties vide compromise dated 18.01.2021 (Annexure P-3). While inviting the attention of this Court to the compromise (Annexure P-3), it has been submitted that a ring ceremony was solemnized between the petitioner and the prosecutrix and the parties would solemnize marriage once the prosecutrix attains the age of majority.

Heard.

The petitioner is facing trial for offences under Sections 376, 506, 120-B of the IPC and Section 4 of the POCSO Act. It needs to be

emphasized that Section 320 of the Cr.P.C., which is exhaustive of the circumstances and conditions under which composition can be effected, excludes offences under Section 376 IPC and Section 4 of the POCSO Act qua which compounding can be permitted. Hence, it would be setting a dangerous trend and would be against the legislative intent to quash an FIR under the aforementioned Sections, on the basis of a compromise arrived at between the parties.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 05, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>