

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

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**CRM-M-27689-2021
Decided on : 20.09.2021**

Akashdeep

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vikasdeep Singh, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vikas Gupta, Advocate
for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 19, dated 12.02.2021, lodged under Sections 354, 354-D(1), 451 of IPC and Section 12 of the POCSO Act, 2012 (added later on), registered at Police Station Fattudhinga, District Kapurthala (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 24.06.2021 (Annexure P-2) arrived at, between the parties.

As per the allegations levelled in the FIR, when the parents of the victim (aged 12 years) were away, the petitioner unsuccessfully tried to trespass into the house of the victim and while going, threw a rose bud at her.

Vide order dated 20th July, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 20th August, 2021, to get their statements recorded, regarding the compromise

Report has since been received from the learned ADJ, Kapurthala, 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 the 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 petitioner and respondents No.2 & 3 is the only aggrieved person in the FIR in question.

In view of the report of the learned ADJ, Kapurthala, 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

September 20, 2021

J.Ram

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