

224.

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

**CRM-M-38792-2020**

Date of decision: 02.02.2021

KULDEEP SINGH

... Petitioner

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present:     None.

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**HARI PAL VERMA, J. (Oral)**

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.233 dated 05.07.2020 registered under Sections 354-D, 506 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.07.2020 (Annexure P-2).

This Court vide order dated 24.11.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 14.12.2020 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Rani but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 14.12.2020. The same is reproduced as under:-

*“I am mother of Ajnu. The matter has been compromised between us. I have no objection, if the First Information Report be quashed by the Honourable High Court. There is only one accused person, namely, Kuldeep Singh who has been nominated in the present case. The compromise is genuine one and has been effected between us without any coercion or undue influence.”*

Apart from above, a similar statement has been made by respondent No.3-victim whereby she has shown no objection to the FIR being quashed.

The allegations against the petitioner are that on seeing the daughter of the complainant, the petitioner winked and called the victim towards him by signalling with his hand. The complainant has furnished an affidavit that the matter has been compromised between the parties and she does not have any kind of dispute or grudge against the petitioner has no objection in case the present FIR is quashed qua the petitioner.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.233 dated 05.07.2020 registered under Sections 354-D, 506 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.07.2020 (Annexure P-2).

Since the present order is being passed in the absence of respective lawyers of the parties, in case either party finds that any prejudice has been caused to them, they shall be at liberty to seek revival of the present petition.

**(HARI PAL VERMA)**  
**JUDGE**

02.02.2021  
sanjeev

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|----------------------------|--------|
| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |