

121.

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

CRM-M-29227-2021

Date of Decision: 03.08.2021

Bijender Singh

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. Ankur Tyagi, Advocate,
for the petitioner.

Mr. B.S. Virk, D.A.G., Haryana.

RAJESH BHARDWAJ.J

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The petitioner has approached this Court by filing this petition under Section 482 Cr.P.C. praying for quashing of FIR No.0167, dated 09.06.2021, under Sections 376 and 506 IPC, registered at Police Station Ganaur, District Sonapat, on the basis of compromise.

Learned counsel for the petitioner has contended that the FIR in question has been lodged by the prosecutrix on the misunderstanding as is evident from the reading of the FIR. He contends that after the registration of the same, now the prosecutrix and the petitioners have amicably settled

the dispute and now they have decided to put an end to this FIR. It has been

further contended that the affidavit has been filed by the prosecutrix wherein she has specifically stated that she is an illiterate lady and that the contents of the FIR were mentioned in a fit of rage. However, now the disputes between her and the petitioner have been amicably settled with the intervention of the respectables and thus, she is not interested in pursuing the same. Counsel contends that on the basis of compromise, the FIR in question be quashed.

I have heard learned counsel for the petitioner and perused the record.

It is evident from the record that the petitioner and the complainant both are major. The offence alleged in the FIR pertains to Section 376 IPC. The occurrence in question has taken place on 02.02.2021 and the FIR in question has been registered on 09.06.2021. So far the police has not even concluded its investigation and no challan has been filed yet.

The parties being major, the investigation in the alleged offence is pending, and in the light of the various judicial precedents, no case is made out for quashing the FIR on the basis of compromise.

The petition, being devoid of any merits, is dismissed.

However, the parties are at liberty to avail their remedy before the trial Court in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

03.08.2021
sanjeev

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