

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

**CRM-M-23162-2020(O&M)
Date of Decision: 09.03.2021**

(Heard through V.C.)

Gurdeep Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mr. P.P Chahar, D.A.G., Haryana.

None for respondent Nos.2 to 4.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for quashing of FIR No.78 dated 28.12.2019 under Sections 354-A, 506 IPC and Section 8 of POCSO Act registered at Police Station Women Dabwali, District Sirsa, based upon a compromise arrived at between the parties dated 03.07.2020.

Vide an order dated 18.08.2020, the parties were directed to appear before the Illaqa Magistrate to get the statements of the complainant and the petitioner recorded regarding the genuineness of the compromise. By the same order, the petitioner who was in custody, was directed to be released on furnishing of requisite bail bonds, surety bonds to the satisfaction of the Illaqa Magistrate/trial Court to enable him to appear before the Court to get his statement recorded. Pursuant to the

said order, a report was received from the trial Court to the effect that the prosecutrix has categorically stated that she was keen to prosecute and punish the petitioner accused in the present case. The prosecutrix has also denied the existence of any settlement with the accused. The matter was taken up on 27.10.2020, on which date counsel for the petitioner sought an adjournment and the matter was subsequently taken up on 21.01.2021 and was adjourned to be taken up today.

Learned counsel for the petitioner is not present through the medium of video conferencing despite the matter having been called twice.

At this stage, learned counsel appearing on behalf of the respondent-State would also rely upon the reply filed in which reliance has been placed by them on the statement given by the complainant to the effect that she wanted to proceed with the case against the accused. As per the reply, no compromise is in effect between the petitioner and the prosecutrix and therefore, a prayer is made for the cancellation of the bail allowed to the petitioner herein.

I have perused the pleadings of the case and since the petitioner was released on bail as he was relying on a compromise and a settlement having been arrived at between the parties, in the present scenario, when there is no settlement the bail order is hereby recalled.

The petition devoid of merit, is also dismissed.

09.03.2021

ps-I

(JAISHREE THAKUR)
JUDGE

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