

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29787 of 2020 (O&M)

Date of Decision:19.04.2021

(HEARD THROUGH VC)

Naveen Singh Tanwar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Sandeep Berwal, Advocate
for the complainant.

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JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for quashing of FIR No.34 dated 20.03.2020 under Sections 328, 376(2)(n), 506 IPC registered at Police Station Narnaul, Mahendergarh and all subsequent proceedings arising therefrom on the basis of compromise dated 19.09.2020 (Annexure P-3).

Counsel for the petitioner herein lays stress on the fact that the matter has been compromised as well as on the reply filed by the State that the prosecutrix has suffered a statement that offence of rape has not been committed upon her.

However, in catena of judgments, it has been laid down by the Hon'ble Supreme Court that offence of rape is a heinous one and ordinarily

FIRs in the said matters ought not to be quashed in proceedings under Section 482 Cr.P.C. Therefore, this Court is not inclined to quash the FIR on the basis of compromise, given the fact that the trial Court is already seized of the matter.

Consequently, the instant petition stands dismissed. Needless to say that the petitioner would be at liberty to raise all the pleas that are available to him before the trial Court in his defence.

April 19, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No