

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

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**CRM-M-7629-2022
Decided on : 23.02.2022**

Haripal Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Surinder Thakur, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., seeking quashing of FIR No. 17, dated 09.02.2022, lodged under Section 354 of IPC and Section 8 of the POCSO Act, registered at Police Station Ghuman, District Batala, Punjab (annexed as Annexure P-1), and all the subsequent proceedings arising therefrom, on the basis of compromise/settlement-deed dated 12.02.2022 (Annexure P-2).

Learned counsel for the petitioner *inter alia* contends that it was on account of some misunderstanding that the FIR in question came into being. However, subsequently with the intervention of co-villagers, the parties had amicably settled their dispute and compromised the matter. It was submitted that in the aforementioned facts and circumstances, the continuation of criminal proceedings would be a futile exercise.

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

As per the allegations levelled in the FIR, which has been annexed as Annexure P-1, the complainant, who is the father of the victim, aged 12 years, had alleged that on the fateful day i.e. 08th February, 2022 at

about 5:50 P.M., when his children i.e. the victim (aged 12 years) and his youngest son were crossing the Gurudwara, the petitioner came to the spot and asked the victim as well as her brother to come inside the Gurudwara for spreading out the durries. When the victim alongwith her brother, on the asking of the petitioner, went inside, she was forcibly pulled from her arms by the petitioner and taken towards the staircase. On being pulled and taken towards the staircase, the victim got petrified as the petitioner allegedly hugged her. After freeing herself from the petitioner's hold, the victim rushed outside sobbing. On seeing her condition, the victim's younger brother called out to the Granthi and soon thereafter, both of them returned home, where they narrated the incident to their father i.e. the complainant, who in turn, got the FIR in question registered.

Prima facie, there are serious allegations against the petitioner of trying to sexually assault the victim, aged 12 years, with an intent to outrage her modesty. The investigation is still at a nascent stage, as challan admittedly has not yet been presented. The submissions made by the learned counsel that it was on account of some misunderstandings that the FIR came to be registered and subsequently a compromise too had been arrived at between the parties, cannot be a ground to quash the FIR in question and consequent proceedings.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

February 23, 2022

J.Ram

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