

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CRM-M-10321 of 2022
Date of decision:10.03.2022

Shamsher Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Amandep Singh Gill, Sr. DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 482 Cr.P.C seeking quashing of FIR No.0074 dated 23.10.2021 registered under Sections 376, 506, 458, 323 of Indian Penal Code, 1860 at Police Station Rureke Kalan, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 28.02.2022 (Annexure P-2).

Allegations in the FIR have been levelled against the petitioner of gagging and raping the complainant. It has also been alleged that he made video recording of the unfortunate incident and has threatened to kill her child.

Upon instructions from ASI Manjit Singh, State counsel has stated that the prosecutrix has supported the allegations in the statement recorded under Section 164 Cr.P.C before the Magistrate and even in the narration of the incident given to the doctor as recorded in the MLR. She has opposed the petition in view of the nature of allegations levelled in the FIR.

Heard counsel for the parties.

Hon'ble Supreme Court in **State of Madhya Pradesh Vs. Laxmi Narayan and others 2019(2) RCR (Criminal) 255** has held that serious and heinous crimes involving murder, dacoity, rape etc. cannot be quashed on the basis of compromise.

At this stage, counsel for the petitioner seeks and is granted permission to withdraw the petition.

Dismissed as withdrawn.

March 10, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>