

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237

CRM-M-10836 of 2019
Date of decision:16.03.2022

Baljit Singh (minor) @ Giani

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

None for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 482 Cr.P.C seeking quashing of FIR No.06 dated 27.01.2019 registered under Sections 363, 366-A of Indian Penal Code, 1860 (for short “IPC”) and Sections 7, 8 of Protection of Children from Sexual Offences Act, 2012, at Police Station Khalra, District Tarn Taran (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of compromise dated 18.02.2019 (Annexure P-2).

Upon instructions from ASI Satnam Singh, State counsel submits that at the time of alleged incident, the victim was 17 years and 05

months of age and in her statement recorded under Section 164 Cr.P.C, she has alleged that the petitioner raped her. Still further, he has instructions to state that offence under Section 376 IPC has been added, vide DDR No.22 dated 09.02.2019.

Keeping in view the judgment of Supreme Court in **State of Madhya Pradesh Vs. Laxmi Narayan and others 2019(2) RCR (Criminal) 255** , wherein, it has been held that serious and heinous crimes involving murder, dacoity, rape etc., cannot be quashed on the basis of compromise. Thus, prayer made in the petition cannot be entertained.

Petition is dismissed.

March 16, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No