

CRM-M-27072-2018

Date of Decision:29.08.2022

Manoj Kumar

...Petitioner

VS

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: None for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

None for respondent No.2.

SUVIR SEHGAL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.119 dated 18.06.2018 under Section 376 IPC registered at P.S. Phase-I, SAS Nagar (Annexure P-1) on the basis of statement of respondent No.2 recorded under Section 164 Cr.P.C. before the Ld. SDJM-cum-Illaq Magistrate, SAS Nagar as well as on the basis of compromise dated 27.06.2018 (Annexure P-3).

Short reply by way of an affidavit of Harinder Singh Mann, PPS, Deputy Superintendent of Police (City-I), District S.A.S. Nagar, Mohali has been filed on behalf of State-respondent No.1.

Vide order dated 02.08.2022, this Court ordered that intimation of listing of the matter be given to the counsel representing the private parties. As per office note, e-notice has been issued to them for the date fixed. However, there is no representation either on behalf of the petitioner or behalf of complainant-respondent No.2.

Considering that allegations of sexual assault have been levelled against the petitioner and in view of the judgments of Hon'ble the Supreme Court in *The State of Madhya Pradesh Vs. Laxmi Narayan and others 2019(5) SCC 688* and *Dexaben Versus State of Gujarat and Others 2022 SCC online SC 936*, this Court is unable to accept the prayer made in the petition.

Petition is dismissed.

(SUVIR SEHGAL)
JUDGE

August 29, 2022
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No