

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

(Sr. No. 276)

CRM-M No. 34147 of 2018

Date of decision : 28.09.2022

Rashid and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : None for the petitioners.

Ms. Himani Arora, AAG, Punjab.

Ms. Awaljot Kaur, Advocate for

Mr. Jagan Nath Bhandari, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.7 dated 15.01.2018 registered under Sections 323, 341, 354, 149 IPC and Section 8 of POCSO Act (later on Sections 354, 149 IPC and Section 8 of POCSO Act deleted and Section 34 IPC added), at Police Station Sohana, district SAS Nagar (Mohali) and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-2).

On 16.10.2018/13.12.2018, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this

Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 19.01.2019 from the Judicial Magistrate First Class, Mohali has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioners.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offences are not heinous and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in ***Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.7 dated 15.01.2018 registered under Sections 323, 341, 354, 149 IPC and Section 8 of POCSO Act (later on Sections 354, 149 IPC and Section 8 of POCSO Act deleted and Section 34 IPC added), at Police Station Sohana, district SAS Nagar (Mohali) and all proceedings arising therefrom qua the petitioners.

28.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No