

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

CRM-M-35661-2021

Date of decision : 06.04.2022

Tejinderpal Singh @ Sandy

....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. Rajni Gupta, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has approached this Court for quashing the FIR No.0093 dated 10.05.2019, under Sections 384/385/376 of IPC, registered at Police Station Civil Lines, Amritsar as well as summoning order dated 03.02.2021 passed by the learned Judicial Magistrate Ist class, Amritsar along with consequential proceedings arising therefrom.

It has been contended by counsel for the petitioner that after a thorough investigation, the investigating agency filed the cancellation report. However, learned Judicial Magistrate Ist Class rejected the same and took cognizance on the cancellation report under Section 190 Cr.P.C. She submits that both the petitioner and the prosecutrix were of the age of majority and the FIR in question was lodged with a clandestine motive and hence, the cancellation filed was legally justified.

Notice of motion.

On asking of the Court, Mr. Rakeshinder Singh Sidhu, AAG, Punjab accepts notice on behalf of the respondent-State and Mr. Kamal Chaudhary, Advocate accepts notice on behalf of the complainant.

At the outset, it is submitted that the prosecutrix has no objection in cancellation of the FIR. He further submits that at the time of presentation of cancellation as well, the prosecutrix never opposed the

same. On interaction with counsel for both the parties, it is apparent that both the parties have settled the dispute amicably.

In view of the attending facts and circumstances, the present petition is disposed of with liberty to the parties to avail their alternative remedies before the trial Court in view of the latest development of their amicable settlement as pleaded before this Court. The parties are at liberty to avail their alternative remedies as available to them under the law including assailing the summoning order by way of revision before the Court of competent jurisdiction.

06.04.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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