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Date of Decision:15.03.2022

VERSUS

...RESPONDENTS

Present: Mr. Pawan Attri, Advocate for the petitioners.

Mr. Nitin Kumar Sharma, Advocate for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

Heard counsel for the parties.

The petitioners have a criminal past. Alongwith its reply, the State has given the details of the cases pending against them, which are as under:-

FIRs registered against accused Malwinder Singh (petitioner No.1)

Sr. No.	FIR No./Date	Under Sections	P.S.	Status
1.	324 27.09.1995	dt. 323, 325, 34, IPC, 1860	Pehowa	Convicted vide judgment/order dated 24.04.2002
2.	01 02.01.2011	dt. 148, 149, 323, 324, 326, IPC, 1860	Pehowa	Acquitted vide order dated 08.04.2016
3.	81 16.03.2008	dt. 420, 467, 471, 465, 468, 120 IPC and 61 of Excise Act, 1961	Pehowa	Challan Presented on 14.03.2009
4.	172 24.06.2011	dt. 302, 148, 149, 120-B, 109, IPC, 1860	Pehowa	Acquitted vide order dated 13.01.2015
5.	173 28.06.2011	dt. 148, 149, 323, 324, 452, 506, IPC, 1860	Pehowa	Acquitted vide order dated 14.01.2012
6.	315 29.06.2013	dt. 306, 506, 511, 34, IPC, 1860	Pehowa	Challan Presented on 21.12.2013
7.	498 28.12.2013	dt. 148, 149, 323, 341, 506, IPC, 1860	Pehowa	Acquitted 31.08.2016
8.	169 01.04.2017	dt. 148, 149, 323, 379-A, 452, 506, IPC, 1860	Pehowa	Challan Presented 03.10.2017
9.	110 28.03.2007	dt. 323, 325, 506, IPC, 1860	Pehowa	Acquitted vide order dated 04.02.2008
10.	310 09.06.2020	dt. 18, NDPS Act, 1985	Pehowa	Challan Presented on 18.07.2020

FIR registered against the accused, namely, Pawan Kumar (petitioner No.2)

Sr. No.	FIR No./Date	Under Sections	P.S.	Status
1.	535 23.11.2018	dt. 341, 506 IPC, 1860	City Pehowa	Challan Presented on 08.01.2019

FIRs registered against the accused, namely, Sukhdev (petitioner No.3)

Sr. No.	FIR No./Date	Under Sections	P.S.	Status
1.	293 dt. 20.09.2009	279, 304, IPC, 1860	Pehowa	Acquitted vide order dated 09.02.2012
2.	169 dt. 01.04.2017	148, 149, 323, 379-A, 452, 506, IPC, 1860	Pehowa	Challan Presented on 03.10.2017

FIR registered against the accused, namely, Jasdev Singh (petitioner No.5)

Sr. No.	FIR No./Date	Under Sections	P.S.	Status
1.	180 dt. 06.06.2013	148, 149, 323, 427, 452, IPC, 1860	Pehowa	Acquitted vide judgment dated 16.10.2018

It has been submitted that Malwinder, petitioner No.1, has been declared as a “Bad Character” by the police.

Not only this, even the nature of allegations, which pertain to outraging the modesty of a woman, do not warrant the quashing of the FIR on the basis of a so called compromise, the execution of which is always in doubt.

Keeping in view the judgment of Supreme Court in **State of Madhya Pradesh versus Laxmi Narayan and others** (2019) 5 SCC 688, this Court is of the view that the prayer cannot be entertained.

Petition is dismissed.

15.03.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No