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

CRM-M-41490-2021

Date of Decision: May 18, 2022

Mohit Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Suresh Kumar Kaushik, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana.

Mr.Dharamvir Sharma, Advocate
for respondent Nos.2 and 3.

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RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.79, dated 29.05.2020, under Sections 363 & 366-A IPC (Section 6 of POCSO Act, 2012 added later on), registered at Police Station Sector 37, Gurugram, District Gurugram, and all the consequential proceedings arising therefrom in view of the affidavits dated 25.09.2021, Annexures P-2 and P-3, sworn by the complainant-respondent No.2 as well as the alleged victim-respondent No.3 regarding the compromise arrived at between the parties as well as keeping in view the fact that petitioner and respondent No.3 have solemnized the marriage and they have a child also.

Learned counsel for the petitioner submits that as the petitioner and the victim are living together and they have been blessed with a child

also, prosecution of the petitioner would be an abuse of the process of the Court.

Learned counsel appearing for respondent Nos.2 and 3 also affirms the same.

However, learned State counsel, at the outset submits that out of 18 prosecution witnesses, only three have been examined and the prosecutrix is yet to be examined.

Keeping in view all the facts and circumstances of the case and the gravity of offence, the petition is disposed of with liberty to the petitioner to pursue his remedy as available to him before the trial Court.

May 18, 2022
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(RAJESH BHARDWAJ)
JUDGE

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

Yes/No
Yes/No