

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(255)

CRM-M-36714-2019
Date of decision:- 01.08.2022

Rahul

...Petitioner

Versus

State of U.T. Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Satyaveer Singh, Advocate for the petitioner.

Mr. Anupam Bansal, Addl. P.P., U.T., Chandigarh.
for U.T.-respondent No.1.

Mr. Surinder Avinash K. Sharma, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.134 dated 16.05.2019, registered for offence under Section 376(2) (n) of the Indian Penal Code, 1860 and Section 4 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Sector-39, Chandigarh, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of the compromise, Annexure P-4, arrived at between the parties.

Mr. Satyaveer Singh, Advocate has put in appearance on behalf of the petitioner and has filed his Power of Attorney with no objection from the previous counsel, which is taken on record.

Reply by way of an affidavit of Assistant Superintendent of Police, Sub Division South West, Chandigarh has been filed on behalf of U.T.-respondent No.1, which is taken on record.

State counsel has invited the attention of this Court to para 5 of the affidavit to submit that the victim and her mother, i.e., complainant, in their statement recorded on 19.07.2022 have categorically stated that the petitioner had entered into the compromise with the sole intention of saving his job and the documents, on the basis of which, the instant petition has been filed are a result of fraud.

Counsel representing the respondents No.2 and 3 submits that complainant and victim are opposing the prayer made in the petition.

Faced with the resistance from the respondents, counsel for the petitioner seeks and is granted permission to withdraw the petition with liberty to take recourse to the remedy available to him in accordance with law.

Dismissed as withdrawn with liberty as aforesaid.

(SUVIR SEHGAL)
JUDGE

01.08.2022
Kamal

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