

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

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CRM-M-47964-2021

Date of Decision:05.04.2022

MONA ALIAS MONU AND OTHERS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Shivender Sharma, Advocate for
Mr. Ashok Paul Batra, Advocate for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Krishan Sehajpal, Advocate for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

Instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.29 dated 15.03.2011 registered under Sections 376, 342 and 34 of IPC, 1860, at Police Station Bahawwala, Tehsil Abohar, District Ferozepur, now District Fazilka, Annexure P-1, alongwith all subsequent proceedings arising therefrom, on the basis of panchayati compromise dated 19.10.2021, Annexure P-4, arrived at between the parties.

Short reply by way of an affidavit of Deputy Superintendent of Police (Rural), Abohar, District Fazilka has been filed on behalf of respondent No.1-State, which is taken on record, relevant extract of which is as under:-

“(ii) The medical examination of the victim was got conducted and the vaginal swabs were sent to the Chemical Examiner, Kharar. In the chemical report No.908 dated 18.04.2011 received from the Chemical Examiner, Kharar, it was reported that spermatozoa were detected in the contents of exhibit I.

(iii). During the investigation, the complainant produced a duly sworn affidavit dated 21.04.2011 before the police in which she stated that she went to meet petitioner No.1/accused Mona @ Monu in the house of the petitioners No.2 and 3. She also stated that since accused Mona @ Monu refused to marry with her, so out of anger, she got registered the FIR in question against the accused. She never stated in her said affidavit that the accused Mona @ Monu raped with her. During the investigation, the FIR in question was found to be false and the police prepared the cancellation report in the FIR in question on 28.05.2011.

(iv).The police filed the cancellation report in the learned court but the learned court did not accept the same due to the reason that the police cancelled the FIR on the basis of compromise vide order dated 14.07.2015 (Annexure P-3). ”

In view of the above as well as law settled by the Supreme Court in **State of Madhya Pradesh versus Laxmi Narayan and others** (2019) 5 SCC 688, prayer made in the petition cannot be entertained.

Petition is dismissed.

05.04.2022
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(SUVIR SEHGAL)
JUDGE

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