

**CRM-M-2552-2021**

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

206

**CRM-M-2552-2021**

Date of Decision:-**March 15, 2023**

Gurpyar Singh @ Tari

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Siddharth Gupta, Advocate for the petitioner.

Mr. Pankaj Khuller, AAG, Punjab  
assisted by ASI Manoj Kumar.

None for the respondents No.2 and 3.

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**ALOK JAIN, J. (Oral)**

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 0146 dated 10.07.2020, registered under Section 376 of Indian Penal Code, 1860, and Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station City-1, Sangrur, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 23.09.2020 (Annexure P-2).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 19.01.2021 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 01.04.2021 has been received from the Additional District and Sessions Judge, Sangrur, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

Since, by virtue of compromise the respondent-wife has joined the company of the petitioner and have got married and living happy

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matrimonial life, therefore, the presence of counsel for respondents No. 2 and 3 is not necessary.

Learned State Counsel admit the factum of compromise and submits that he has no objection in quashing the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No. 0146 dated 10.07.2020, registered under Section 376 of Indian Penal Code, 1860, and Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station City-1, Sangrur, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioner, subject to payment of cost of Rs. 5,000/- to be deposited by the petitioner within two months from today in the following account:-

**Account Name – Punjab and Haryana High Court Bar Association Lawyer’s Family Welfare Fund.**

**Account No. - 41564846387**

**Bank Name – SBI High Court Branch.**

**(ALOK JAIN)  
JUDGE**

**March 15, 2023**

Parul

|                             |        |
|-----------------------------|--------|
| Whether speaking/reasoned:- | Yes/No |
| Whether Reportable:-        | Yes/No |