

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**278****CRM-M No.2525 of 2020 (O&M)****Date of Decision: 24.07.2023**

Davinder Singh

....Petitioner

VERSUS

State of Punjab and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Harjinder Singh Sidhu, AAG Punjab for respondent No.1.

None for respondent No.2

Mr. Dixit Garg, Advocate for respondent No.3.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.113 dated 29.08.2016 registered under Sections 353, 186, 354, 452, 323, 506 and 34 of the Indian Penal Code, 1860 at Police Station Kharar, District SAS Nagar and all subsequent proceedings arising out of the said FIR, on the basis of compromise dated 05.09.2016 (Annexure P-2).

2. The FIR was lodged by the teacher of a school, namely, Government Model Senior Secondary School, Gharuan, where a child studying in Class 10+2 Section-A was beaten up by the accused. The accused entered into the school as well as the classroom forcibly and beat up the child and did not relent inspite of the resistance shown by the teacher as per the FIR. The accused also used foul language. Subsequently, the present petition was filed for quashing of the FIR on the ground that the parties have

compromised. Affidavit of the complainant was appended with the petition as Annexure P-2 wherein it has been stated that the parties have compromised the matter. The parties were directed to appear before the Illaqa Magistrate/Trial Court for recording of the statements. As per the report of the Trial Court, the victim i.e. minor child is not a party to the compromise. Now an application has been filed for impleading the minor child as a party. However, since there is no compromise with the minor child or the guardian of the minor child, there is no question of impleading the minor child as a party in the present case, which has been filed on the basis of compromise.

3. Faced with the same, learned counsel for the petitioner seeks permission to withdraw the present petition. Permitted to do so.

4. Dismissed as withdrawn. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

24.07.2023

jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO