

306

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10638-2024(O&M)
Date of Decision: 29.04.2024

RAJU ... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Surender Dhull, Advocate, for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Mukesh Mittal, Advocate, for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 17 dated 12.03.2023, under Sections 313, 354D, 376(2)(n), 406, 506 of IPC registered at Police Station Women, District Jind, along with all the subsequent proceedings arising therefrom, on the basis of a compromise deed dated 14.02.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that both the petitioner and respondent No.2-complainant are major. Petitioner is 27 years of age whereas respondent No.2 is 38 years of age. The FIR was registered due to some misunderstanding. Now the matter stands compromised between the parties. Respondent No.2 is married and having children. The compromise between the parties is voluntarily and genuine.

There is no history of any other case against the petitioner.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties and submitted that the matter stands compromised and prosecutrix does not want to take any action in the present FIR and has no objection if the FIR is quashed.

[4] On 01.03.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 22.03.2024, received from the learned Addl. District & Sessions Judge, Jind, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

[6] Learned State counsel referring to the status report has submitted that the petitioner was joined in the investigation on 21.03.2023. The medical examination of the prosecutrix was got conducted. However, as per the Forensic Science Laboratory report dated 21.04.2023 (Annexure R-3), human semen was though found on the clothes of the accused/petitioner, however, semen could not be detected on rest of the exhibits belonging to the prosecutrix.

[7] Since the parties have given a quietus to the litigation, keeping in view the facts and circumstances of the case, the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.17 dated 12.03.2023, under Sections 313, 354D, 376(2)(n), 406, 506 of IPC registered at Police Station Women, District Jind and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] Pending miscellaneous application(s), if any, shall also stand disposed of.

29.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No