

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

CRM-M-20110-2024
Date of decision: 27.05.2024

Versus

STATE OF PUNJAB AND OTHERSRESPONDENTS

Present: - Mr. Kunal Vinayak, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Gagandeep Singh, Advocate for
Mr. Dixit Garg, Advocate
for respondent Nos. 2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 14 dated 26.02.2024 registered under Sections 354-A/341 of Indian Penal Code and Section 12 of POCSO Act, 2012 at Police Station Majitha, Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 04.04.2024 (Annexure P-2).
2. The following order was passed on 24.04.2024:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.14 dated 26.02.2024 under Sections 354-A & 341 of IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Majitha, Amritsar Rural (Annexure P-1) along with all



subsequent proceedings arising therefrom on the basis of compromise dated 04.04.2024 (Annexure P-2).

Learned counsel for the petitioners, inter alia, contends that FIR (supra) was lodged with the allegations that the petitioners have stopped daughter of respondent No.2, while she was going to attend her tuition classes in the evening and they asked her to do friendship with petitioner No.1 and in the process, they held her hand. It is further contended that petitioner No.3 is juvenile and petitioners No.1 & 2 are youngsters, having clean antecedents. The maximum sentence provided for the offences, under which the FIR (supra) is registered, is upto 03 years. It is also contended that FIR (supra) was registered due to some misunderstanding and now with the intervention of the respectables, the parties have resolved their dispute amicably.

Notice of motion for 27.05.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Dixit Garg, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”



3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No. 14 dated 26.02.2024 registered under Sections 354-A/341 of Indian Penal Code and Section 12 of POCSO Act, 2012 at Police Station Majitha, Amritsar Rural (Annexure P-1) and compromise dated 04.04.2024, all subsequent proceedings arising out of the same are quashed, qua the petitioners.

27.05.2024
Anu

(HARPREET SINGH BRAR)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No