



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22665-2024(O&M)

Date of Decision: 05.09.2024

BUTA SINGH

....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Kanwaljit Singh, Advocate for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

Mr. Satvir Singh, Advocate for respondent no.2

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.68 dated 18.04.2021 under Sections 377, 511 and 506 of IPC (Section 18 of POCSO Act, 2012 added later on) registered at Police Station Samrala District Khanna, Ludhiana and all the subsequent proceedings arising therefrom, on the basis of compromise dated 19.04.2024 (Annexure P-2).

2. This Court vide order dated 10.07.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Principal Magistrate, Juvenile Justice Board, Ludhiana Additional



District and Sessions Judge, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 31.08.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.68 dated 18.04.2021 under Sections 377, 511 and 506 of IPC (Section 18 of POCSO Act, 2012 added later on) registered at Police Station Samrala District Khanna, Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 19.04.2024 (Annexure P-2) are quashed qua the petitioner.

05.09.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No