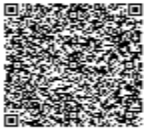


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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32878-2024 (O&M)
Date of decision: 13.09.2024

Ashish

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Ms. Sulochana Borah, Advocate for
Mr. Madan Sandhu, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Sarvjeet Singh Thakur, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.115 dated 17.05.2024 under Sections 341, 354-D, 506, 509 of the Indian Penal Code, 1860 (for short 'IPC') and Section 12 of The Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act'), registered at Police Station Civil Lines District Rohtak (Annexure P-1) along with all

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subsequent proceedings arising therefrom on the basis of compromise dated 26.06.2024 (Annexure P-2) and affidavit dated 28.06.2024 (Annexure P-3).

2. The following order was passed on 12.07.2024 : -

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.115 dated 17.05.2024 under Sections 341/354-D/506/509 of IPC and Section 12 of POCSO Act, 2012 registered at Police Station Civil Lines District Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.06.2024 (Annexure P-2) and affidavit dated 28.06.2024 (Annexure P-3).

Notice of motion for 12.08.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Sarvjeet Singh Thakur, Advocate accepts notice for respondent No.2 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

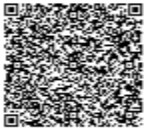
Service is complete.

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 i.e.12.08.2024.

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

3. Thereafter, vide order dated 12.08.2024, the parties were

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again directed to appear before the jurisdictional/Illaqa Magistrate to get their statements recorded regarding the compromise.

4. In compliance of the aforesaid 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.

5. 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.115 dated 17.05.2024 under Sections 341, 354-D, 506, 509 of IPC and Section 12 of POCSO Act, registered at Police Station Civil Lines District Rohtak and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

13.09.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No