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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-34346-2024
Date of decision: 23.08.2024

GOBIND SINGH ALIAS TUMBI

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Munish Garg, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Hitesh Verma, Advocate for
Ms. Kiranpal Kaur, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No.0032 dated 31.03.2022, registered under Sections 354, 354-A, 363, 511 of the Indian Penal Code 1860 and Section 8 of Protection of Children from Sexual Offences Act (Amended) 2012, 2019 at Police Station Barnala, District Barnala (Annexure P-1) and all subsequent proceedings arising out of the same, on the basis of compromise dated 22.05.2024 (Annexure P-4).

2. The following order was passed on 22.07.2024 :-

“Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 0032 dated 31.03.2022, registered under Sections 354, 354-A, 363, 511 of the Indian Penal Code 1860 and Section 8 of Protection of Children from Sexual Offences Act (Amended) 2012, 2019 at Police Station Barnala, District Barnala and all subsequent proceedings arising out of the same, on the basis of compromise dated 22.05.2024 (Annexure P-4).

Notice of motion for 23.08.2024.

Mr. Sandeep Kumar, DAG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Ms. Kiranpal Kaur, Advocate has put in appearance on behalf of respondents No. 2 and 3 and filed power of attorney. Same is taken



on record. Learned counsel for respondents No. 2 and 3 admits the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 23.08.2024.

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

3. 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.
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.0032 dated 31.03.2022, registered under Sections 354, 354-A, 363, 511 of the Indian Penal Code 1860 and Section 8 of Protection of Children from Sexual Offences Act (Amended) 2012, 2019 at Police Station Barnala, District Barnala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

August 23, 2024
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |