

(2001) 04 P&H CK 0094

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. 14008-M of 2001

Sharan Deep Singh

APPELLANT

Vs

State (U.T. Chandigarh)

RESPONDENT

Date of Decision: April 30, 2001

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 320, 482
- Penal Code, 1860 (IPC) - Section 306, 342, 363, 366, 376

Citation: (2001) 4 RCR(Criminal) 331

Hon'ble Judges: S.S. Nijjar, J

Bench: Single Bench

Advocate: S.K. Votora and R.K. Dhimman, for the Appellant; Gauttam Dutt, for the Respondent

Final Decision: Allowed

Judgement

S.S. Nijjar, J.

This petition u/s 482 Cr.P.C. seeks quashing of the FIR No. 0023 dated 13.1.2000 under Sections 342, 363, 366, 376, 306 IPC registered at Police Station Central, Chandigarh (Annexure P-1) and the proceedings consequential thereto, on the basis of compromise.

2. On the basis of the allegations made by respondent No. 2, a false and baseless FIR was registered. As a consequence of the registration of the FIR, the petitioner was sent to jail. Subsequently, he has been released on bail. The parties have reached a compromise. The compromise deed is attached with this petition as Annexure P-2. It is stated in the compromise deed that respondent No. 2 does not wish to prosecute or depose against the petitioner. In view of the gravity of the charges, this Court issued notice to the respondent No. 2 and the Investigating Officer. Sub Inspector Dalbir Singh is present in Court with the record of the investigation. He has stated that compromise has been arrived at between the

parties without any undue influence or coercion. The prosecutrix herself is present in Court. In response to the queries made by this Court, she has admitted that she has registered a false case against the petitioner. She has further stated that she was in the company of the petitioner voluntarily and without any undue influence. She has also reiterated that she does not wish to continue with the prosecution. Seeing the behaviour of the father of the prosecutrix who is said to be police constable, this Court would be justified in taking a serious view of the situation. However, keeping the interest of the girl in view, the court is not proceeding any further with the matter. The girl is stated to have already been engaged to be married to some other person. In view of the above, it would be in the interest of justice to put an end to the criminal proceedings.

3. Consequently, this petition is allowed. FIR No. 0023 dated 13.1.2000 under Sections 342, 363, 366, 376, 306 IPC registered at Police Station Central, Chandigarh (AnnexureP-1) and the proceedings consequential thereto are hereby quashed. No costs.

4. Petition allowed.