

Law Today Live Doc. Id. 15708

PUNJAB AND HARYANA HIGH COURT

Before: Gurvinder Singh Gill, J.

CRM-M-27220-2020 (O&M)

Decided on: 09.12.2020

Jatinder Kumar

Petitioner

Versus

State of Punjab and another

Respondents

Present:

Mr. Gagandeep Singh Bajwal, Advocate for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

Mr. Anantdeep, Advocate for respondent No. 2.

(proceedings conducted through video conferencing)

Protection of Children from Sexual Offences Act, 2012 (32 of 2012), Section 8 -- Indian Penal Code, 1860 (45 of 1860), Sections 354/354-A -- Code of Criminal Procedure, 1973 (2 of 1974), Section 482 -- Sexual assault with minor -- Compromise quashing of FIR -- Ld. Additional Sessions Judge, Fast Track Court, specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence -- FIR and all subsequent proceedings emanating therefrom quashed qua the petitioner.

(Para 1-6)

Cases referred:

1. Kulwinder Singh and others Vs. State of Punjab, Law Today Live Doc. Id. 15176 = 2007(3) RCR (Cr.) 1052.

GURVINDER SINGH GILL, J. (ORAL) –

1. The petitioner has approached this Court seeking quashing of FIR No.87 dated 14.6.2020 registered at Police Station Verka, District Amritsar under Sections 354/354-A IPC and Section 8 of POCSO Act and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 10.9.2020, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

3. Report of learned Additional Sessions Judge, Fast Track Court, Amritsar has been received, wherein it has been reported that statements of petitioner/accused Jatinder Kumar and also of victim and complainant Kuldeep Singh have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant in his statement has stated that he has no objection in case the FIR in question is quashed.

5. The learned Additional Sessions Judge, Fast Track Court, Amritsar has specifically opined that the parties have entered into compromise voluntarily

without there being any pressure, coercion or undue influence.

6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in **Law Today Live Doc. Id. 15176 = 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab**, the present petition is allowed and FIR No.87 dated 14.6.2020 registered at Police Station Verka, District Amritsar under Sections 354/354-A IPC and Section 8 of POCSO Act and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

Petition allowed.



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