

*Before Suvir Sehgal, J.*

**AMANJOT SINGH @HONEY—Petitioners**

*versus*

**STATE OF PUNJAB AND OTHERS—Respondents**

**CRM No.37030 of 2021**

in/and

**CRM-M No.5471 of 2021**

November 12, 2021

***Code of Criminal Procedure, 1973 – S. 482 – Indian Penal Code, 1860 – Ss. 354 and 506 – Quashing of the FIR on the basis of compromise – Dismissed – Held, the compromise entered between the victim and the accused appeared questionable as the testimony of the victim was consistent with her statement under Section 164 Cr.P.C. – Hence, FIR cannot be quashed – Petition dismissed.***

*Held*, that Counsel appearing for respondent No.2 does not have any objection, in case, the FIR is quashed. However, State counsel, upon instructions from ASI Narinder Singh, submits that the compromise is questionable as the same has been allegedly entered into, after the victim has been examined and has deposed before the Court in support of the allegations, and her testimony is consistent with her statement under Section 164 Cr.P.C.

(Para 6)

*Further held*, that, FIR is based on allegations, which are a deliberate insult to the dignity of woman cannot be permitted to be quashed on the basis of a compromise, the very basis of which is highly doubtful. Moreso, in the present case the compromise has been entered into after the prosecutrix has stepped into the witness-box and has supported the case of the prosecution.

(Para 8)

Manpreet Kaur, Advocate, *for the petitioner.*

Prabhjot Singh Walia, AAG, Punjab.

Arman Gagneja, Advocate, *for the complainant.*

**SUVIR SEHGAL J. (ORAL)**

(1) Heard through video conferencing.

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(2) For the reasons given in the application, it is allowed. Hearing of the main case is preponed to today and is ordered to be taken up on Board.

**Main Case**

(3) The instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.89 dated 01.06.2019 under Sections 354 and 506 IPC, 1860, registered at Police Station Sadar Patiala, District Patiala, Annexure P-1, alongwith all subsequent proceedings arising there from, on the basis of a compromise deed dated 12.12.2020, Annexure P-2, arrived at between the parties.

(4) Criminal law has been set in motion on the complaint of the victim on the allegation that on 28.05.2019, when she was sweeping the street in front of a house, Amanjot Singh @ Honey (present petitioner) molested her and indulged in obscene activity. On hearing her screams, her uncles, Karan Singh and Malkiat Singh, came on the spot and Amanjot fled while threatening her.

(5) Counsel for the petitioner submits that the FIR, Annexure P-1, has been registered on account of some misunderstanding and the matter has been settled between the parties by virtue of a compromise/agreement dated 12.12.2020, Annexure P-2. She further submits that in terms of the order passed by this Court on 05.02.2021, the parties have appeared before the trial court and their statements have been recorded in support of the compromise.

(6) Counsel appearing for respondent No.2 does not have any objection, in case, the FIR is quashed. However, State counsel, upon instructions from ASI Narinder Singh, submits that the compromise is questionable as the same has been allegedly entered into, after the victim has been examined and has deposed before the Court in support of the allegations, and her testimony is consistent with her statement under Section 164 Cr.P.C.

(7) I have considered the respective submission of counsel for the parties.

(8) FIR is based on allegations, which are a deliberate insult to the dignity of woman cannot be permitted to be quashed on the basis of a compromise, the very basis of which is highly doubtful. Moreso, in the present case the compromise has been entered into after the prosecutrix has stepped into the witness-box and has supported the case

of the prosecution.

(9) There is no merit in the petition, which is ordered to be dismissed.

(10) It is clarified that nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

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*Dr. Payel Mehta*