

**291 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH 2023:PHHC:158449**

**CRM-M-48503-2023 (O&M)
Date of Decision: 11.12.2023**

RAHUL SHARMA

.....PETITIONER

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ganesh Kumar Sharma, Advocate,
for the petitioner.

Mr. Kirpal Singh Thakur, A.A.G., Haryana.

Mr. Jai Bhagwan Sharma, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0115 dated 21.08.2023, registered at Police Station Women West, District Gurugram, under Sections 376 and 506 IPC, on the basis of compromise dated 03.09.2023 (Annexure P-2) between the parties.

[2] *Inter alia* contends that the petitioner and the complainant (respondent No. 2) have got married to each other in pursuance to the compromise effected between the parties and the complainant-respondent No. 2 does not want to take any action against the petitioner.

Learned State counsel has submitted that even a cancellation report has been submitted before the trial Court.

[3] On 04.10.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[4] The report dated 20.10.2023 of Ms. Sakshi Saini, the Judicial Magistrate, Ist Class, Gurugram, through the District & Sessions Judge, Gurugram, has been received. As per said report, the compromise between the parties is genuine. The relevant portion of the said report reads as under:

“Today, the complainant Ms. Nargish has appeared before the undersigned and has stated that the matter between the parties has been settled amicably and voluntarily without any force, pressure or any sort of undue influence. No grievance remains against the accused qua the complaint filed. Complainant Nargish has submitted that she has got married with the accused Rahul.

Accused Rahul also recorded his statement to the effect that the statement made by the complainant is correct and true and matter has been settled amicably between them. He has further deposed that he has never been declared proclaimed offender in any case nor any such proceedings have been initiated against him. His version is verified by IO. Accused Rahul has submitted that he has got married with the complainant Nargish.”

[5] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

[6] Since the matter has been settled and the parties have decided to live in peace, this Court feels that in order to secure the ends of justice,

the criminal proceedings deserve to be quashed.

[7] Consequently, this petition is allowed and FIR No. 0115 dated 21.08.2023, registered at Police Station Women West, District Gurugram, under Sections 376 and 506 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[8] Pending miscellaneous application (s), if any, shall also stand disposed of.

December 11, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No