



CRM-M- 20461-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-20461-2024
Date of decision: 27.05.2024**

RAM KARAN**....PETITIONER****Versus****STATE OF HARYANA AND ANOTHER****....RESPONDENTS****CORAM:- HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: - Mr. Sukhdeep Singh, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Parminder Singh, Advocate
for respondent No. 2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 58 dated 03.08.2023 registered under Sections 376 (2) (N)/506 of Indian Penal Code at Women Police Station, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 20.02.2024 (Annexure P-2).

2. The following order was passed on 25.04.2024:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.58 dated 03.08.2023 under Sections 376 (2) (N)/506 of IPC registered at Women Police Station, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.02.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia contends that the relationship between the petitioner and respondent No.2 was consensual and



devoid of any mens rea and has placed reliance upon the judgments of the Hon'ble Supreme Court in 'Kapil Gupta Vs. State of NCT of Delhi and others' 2022 (4) RCR (Criminal) 497 and 'Vinod Gupta Vs. State of Madhya Pradesh and another' 2024 (3) SCC 496.

Notice of motion for 27.05.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Parminder Singh, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 27.05.2024.

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

3. In compliance of the above 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. 58 dated

03.08.2023 registered under Sections 376 (2) (N)/506 of Indian Penal Code at Women Police Station, District Ambala (Annexure P-1) and compromise dated 06.11.2020, all subsequent proceedings arising out of the same are quashed, qua the petitioner.

27.05.2024
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(HARPREET SINGH BRAR)
JUDGE

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