

**CRM-M-22867-2024 (O&M)****- 1 -****298 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-22867-2024 (O&M)
DATE OF DECISION : 24.09.2024****ADNAN SALIM****... PETITIONER****V/S****STATE OF HARYANA AND ANOTHER****... RESPONDENTS****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present: Mr. Rishab Garg, Advocate for the petitioner.****Mr. Praveen Bhadu, AAG, Haryana.****Mr. Rahul Dahiya, Advocate for respondent No.2.***** * * *****HARPREET KAUR JEEWAN, J. (ORAL)**

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No.338 dated 17.11.2022, under Section 376(2)(n) IPC, registered at Police Station Sector 65, Gurgaon, District Gurugram on the basis of compromise/affidavit dated 30.04.2024 (Annexure P-2).

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2-complainant with the allegations of alluring her on the false pretext of solemnizing marriage with her and committing rape upon her. Now the matter stands compromised as per compromise/affidavit dated 30.04.2024 (Annexure P-2). Respondent No.2 does not want to take any action in the present FIR.



CRM-M-22867-2024 (O&M)

- 2 -

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 09.07.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 22.08.2024, received from the learned Addl. District & Sessions Judge, Gurugram, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender".

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] The private dispute between the parties stands settled. Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543* and the decision of Hon'ble the Full Bench of this Court in *Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052*, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 338 dated 17.11.2022, under Section 376(2)(n) IPC, registered at Police Station Sector 65, Gurgaon, District Gurugram and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.



CRM-M-22867-2024 (O&M) - 3 -

[9] However, respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise are violated.

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

24.09.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No