



252 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24993-2024

Date of decision: 03.07.2024

JASPREET SINGH @ JASS THROUGH HIS MOTHER

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rohit Kumar, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Nimanyu Gautam, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.57 dated 29.04.2024 under Section 376 of IPC, registered at Police Station Civil Lines Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.05.2024 (Annexure P-2).

2. The following order was passed on 17.05.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.57 dated 29.04.2024 under Section 376 of IPC, registered at Police Station Civil Lines Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.05.2024 (Annexure P-2).

Learned counsel for the petitioner, inter alia, contends that the petitioner and respondent No.2 were having a love affair and



*they consciously carried on with their consensual relationship. The FIR (supra) was registered against the petitioner on the allegations that on the pretext of marriage, he made physical relations with respondent No.2. Now respondent No.2 has effected a compromise with the petitioner and both of them have settled their dispute amicably. Learned counsel for the petitioner relies upon a judgment of the Hon'ble Supreme Court in **Kapil Gupta Vs. State of N.C.T. of Delhi and another, 2022 (4) RCR (Crl.) 497**, to contend that FIR under Section 376 of IPC can be quashed on the basis of compromise. Learned counsel has further relied upon a judgment of this Court in **Karan Sharma Vs. State of Haryana and another, 2021(1) Law Herald 149** and contends that once the parties have compromised the matter and decided to live in peace, no useful purpose will be served in allowing the criminal proceedings to continue.*

Notice of motion for 03.07.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Nimanyu Gautam, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. 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.

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.57 dated 29.04.2024 under Section 376 of IPC, registered at Police Station Civil Lines Bathinda (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

July 03, 2024
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(HARPREET SINGH BRAR)
JUDGE

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