



227 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39034-2024
Date of decision: 17.12.2024

RANVIR SINGH ALIAS JAWAHAR SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Daljit Singh Virk, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Mandeep Singh Gill, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.33 dated 28.07.2021 under Sections 498-A, 406, 420, 494, 506, 120-B of IPC and Section 376 of IPC (added later on vide DDR No.28 dated 27.08.2021), registered at Police Station Women Bathinda, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2024 (Annexure P-2).

2. *Vakalatnama* filed on behalf of respondent No.2 is taken on record. Registry is directed to tag the same at the appropriate place.

3. The following order was passed on 12.08.2024 :-

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.33 dated 28.07.2021 under Sections 498-A, 406, 420, 494, 506, 120-B of IPC and Section 376 of IPC (added later on vide DDR No.28 dated 27.08.2021), registered at Police Station Women Bathinda, District Bathinda (Annexure P-1) along with all



subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2024 (Annexure P-2).

*Learned counsel for the petitioners, inter alia, contends that FIR (supra) was registered at the instance of respondent No.2 and now she has effected a compromise with the petitioners and the parties have settled their dispute amicably. Learned counsel for the petitioners 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 13.09.2024.

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. Mandeep Singh Gill, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. He undertakes to file Vakalatnama in the Registry before the next date of hearing. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meantime, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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.

Meanwhile, learned trial Court is directed to adjourn the case beyond the date fixed before this Court.

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

4. Thereafter, on 13.09.2024 and 26.11.2024, the parties were again directed to appear before the jurisdictional/Illaqa Magistrate within a period of



two weeks. In compliance of the aforesaid orders, 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.

5. 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.33 dated 28.07.2021 under Sections 498-A, 406, 420, 494, 506, 120-B of IPC and Section 376 of IPC (added later on vide DDR No.28 dated 27.08.2021), registered at Police Station Women Bathinda, District Bathinda (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

6. However, liberty is granted to respondent No.2 to file an appropriate application, in case, the petitioner fails to abide by the terms and conditions of the agreement.

December 17, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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