



CRM-M-38782-2024 (O&M)

1

246 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38782-2024 (O&M)

Date of Decision: 10.09.2024

DINESH AND ANOTHER

...PETITIONERS

Versus

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sunil Saharan, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. R.S. Pathania, Advcate
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.35 dated 24.07.2024 under Sections 123/140(3)/351(2)/70(1) of BNS, Section 25 of Arms Act registered at Police Station Women Police Station, Hisar, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.08.2024 (Annexure P-2).

2. The following order was passed on 09.08.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.35 dated 24.07.2024 under Sections 123/140(3)/351(2)/70(1) of BNS, Section 25 of Arms Act registered at Police Station Women Police Station, Hisar, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.08.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia contends that petitioner No.1 and respondent No.2 were in a consensual



CRM-M-38782-2024 (O&M)

2

relationship which was opposed by respondents No.3 & 4. On account of finding petitioner No.1 in the company of respondent No.2, the FIR (supra) got registered. Further, the parties have cleared their misunderstanding and effected a compromise and petitioner No.1 and respondent No.2 are likely to get married.

Notice of motion for 10.09.2024.

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. Ranbir Singh Pathania, Advocate accepts notice for respondent No.2 and files his vakalatnama 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. 10.09.2024.

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

In the meantime, no coercive steps be taken against the petitioner.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise effected 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**



CRM-M-38782-2024 (O&M)

3

Kaushalya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052, this petition is allowed and FIR No.35 dated 24.07.2024 under Sections 123/140(3)/351(2)/70(1) of BNS, Section 25 of Arms Act registered at Police Station Women Police Station, Hisar, District Hisar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.09.2024
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No