



CRM-M-45778-2024 (O&M)

1

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45778-2024 (O&M)

Date of decision: 18.10.2024

SATYAPAL SINGH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Dinesh Maurya, Advocate
for Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Mayank Aggarwal, Advocate for Mr. Sumit Nain, 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 (for short 'BNSS') seeking quashing of FIR
No.35 dated 24.02.2022 under Sections 323, 376, 406, 498-A, 506 of the
Indian Penal Code, 1860 (for short 'IPC') (Section 376 of IPC was deleted later
on), registered at Women Police Station Karnal (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of compromise dated
06.08.2024 (Annexure P-3).

2. The following order was passed on 16.09.2024:

*"This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS')
seeking quashing of FIR No.35 dated 24.02.2022 under
Sections 323, 376, 406, 498-A, 506 of the Indian Penal Code,
1860 (for short 'IPC') (Section 376 of IPC was deleted later
on), registered at Women Police Station Karnal (Annexure P-1)
along with all subsequent proceedings arising therefrom on the
basis of compromise dated 06.08.2024 (Annexure P-3).*



Notice of motion for 18.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Sumit Nain, 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 aforesaid 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.35 dated 24.02.2022 under Sections 323, 376, 406, 498-A, 506 of the Indian Penal Code, 1860 (for short 'IPC')

(Section 376 of IPC was deleted later on), registered at Women Police Station

Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

October 18, 2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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