



Learned counsel for the petitioner, inter alia, contends that petitioner No.1 and respondent No.2 were having a love affair and both of them are major and they consciously carried on with their consensual relationship and under the pressure of her relatives, FIR (supra) was registered against the petitioners. Now petitioner No.1 and respondent No.2 have performed marriage and they are happily cohabiting together as husband and wife. With the intervention of common friends and relatives, the parties have effected a compromise and settled their dispute. 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 64 of Bharatiya Nyaya Sanhita, 2023 (earlier 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 23.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Abhishek Singla, Advocate accepts notice for respondent No.2 and files his Vakalatnama, 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.105 dated 16.02.2024 under Section 376(2)(N) of the Indian Penal Code, 1860, registered at Police Station Gurugram, Sadar, District Gurugram, Haryana (Annexure P-1), earlier numbered as Zero FIR (06) dated 12.02.2024, at Women Police Station Fatehabad and all consequential proceedings arising out of the same are quashed, qua the petitioners.

October 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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