



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-49611-2024 (O&M)
Date of Decision: 13.11.2024

Gursewak Singh Petitioner

Versus

State of Punjab and another Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Gaganpreet Kaur, Advocate for
Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Kunwarbir Singh, A.A.G., Punjab.

None for respondent No.2.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of case FIR No.115 dated 21.07.2024 (Annexure P-1) registered under Sections 64 and 351 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sardulgarh, District Mansa along with all consequential proceedings arising therefrom on the basis of compromise dated 23.09.2024 (Annexure P-3).

On the last date of hearing i.e. 03.10.2024, following order was passed by this Court:-

“Vakalatnama filed on behalf of respondent No. 2 is taken on record.

Prayer in this petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing



of case FIR No. 115 dated 21.07.2024 (Annexure P-1) registered under Sections 64 and 351 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sardulgarh, District Mansa along with all consequential proceedings arising therefrom on the basis of compromise dated 23.09.2024 (Annexure P-3).

Learned counsel for the petitioner, inter alia, submits that the present FIR (Annexure P-1) was registered on the basis of statement of respondent No. 2-victim with the allegations that the petitioner had developed physical relations with the victim and clicked her objectionable photographs. Thereafter, the petitioner is alleged to have threatened respondent No. 2/ victim to viral the said photographs. It is submitted that petitioner and respondent No. 2-victim have now solemnized marriage on 10.09.2024, as is evident from marriage certificate of even date Annexure P-2. Now, both the petitioner and respondent No. 2 are residing together happily as husband and wife. Even a compromise dated 23.09.2024 (Annexure P-3) has also been effected between the parties.

Learned counsel appearing for respondent No. 2-victim/complainant has not disputed the aforesaid submissions of learned counsel for the petitioner.

On instructions from ASI Maya Ram, learned counsel for the State points out that the learned trial Court had issued non-bailable warrants against the petitioner on 30.09.2024 and the next date of hearing before the learned trial Court is 05.10.2024.

At this stage, learned counsel for the petitioner undertakes that on the said date i.e. 05.10.2024, the petitioner shall surrender before the learned trial Court.

At request, adjourned to 13.11.2024.”

Learned counsel for the State, on instructions from ASI Avtar Singh, informs this Court that in non-compliance of above said order dated 03.10.2024, the petitioner has not surrendered before the learned trial Court on 05.10.2024.

Learned proxy counsel for the petitioner is unable to deny the said assertions made by learned counsel for the State.

In view of the above, no ground to entertain the present petition is made out and the same is hereby **dismissed**.



Pending application, if any, stands disposed of.

13.11.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No