



*affair and both of them performed marriage with each other and they are cohabiting together as husband and wife and FIR (supra) was registered due to some misunderstanding. Now respondent No.2 has effected a compromise with the petitioner and both of them have settled their dispute amicably. Learned counsel for the petitioner 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 (erstwhile 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 10.12.2024.

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. Kanhyia Goyal, 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 course of the day.

Service is complete.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned 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 this 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.125 dated 02.06.2023 under Sections 363 & 366 of the Indian Penal Code, 1860 (for short ‘IPC’) (Section 376 of IPC was added later on), registered at Police Station Maqboolpura, Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 10, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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