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295 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-50219-2024 (O&M)

Date of Decision: 20.02.2025

NAVEEN @ YADVENDER AND OTHERS

...Petitioners

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pawan Kumar, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Anshul Gupta, Advocate for
respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.363 dated 26.08.2024 under Sections 115/190/191(3) of BNS as well as in newly added Sections 110/117(4)/351(3) of BNS (Section 109 (1) of BNS has been deleted during investigation) registered at Police Station Karnal Civil Lines, Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.09.2024 (Annexure P-2).

2. The following order was passed on 20.01.2025:

“This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.363 dated 26.08.2024 under Sections 115/190/191(3) of BNS as well as in newly added Sections 110/117(4)/351(3) of BNS (Section 109 (1) of BNS has been deleted during investigation) registered at Police Station Karnal Civil Lines, Karnal (Annexure P-1) along



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with all subsequent proceedings arising therefrom on the basis of compromise dated 14.09.2024 (Annexure P-2).

Learned senior counsel for the petitioner inter alia contends that the parties effected a compromise and the offence under Section 109 (1) of BNS has been deleted during the investigation, as such, there is no embargo in quashing of the FIR (supra) on the basis of compromise.

Notice of motion for 20.02.2025.

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. Anshul Gupta, Advocate accepts notice for respondent No.2 and files his power of attorney 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.

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.



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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** 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 (CrI.) 1052**, this petition is allowed and FIR No.363 dated 26.08.2024 under Sections 115/190/191(3) of BNS as well as in newly added Sections 110/117(4)/351(3) of BNS (Section 109 (1) of BNS has been deleted during investigation) registered at Police Station Karnal Civil Lines, Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

20.02.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*