



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

284

CRM-M-49626-2025 (O&M)

Date of Decision :20.11.2025

TINKU @ TEENKU

.....Petitioner

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr.Udit Goyal, Advocate
for the petitioner (through VC).

Mr.Brijesh Sharma, AAG, Haryana.

Mr.Ganesh Chand Sharma, Advocate
for respondent No.2 (through VC).

KIRTI SINGH, J.(Oral)

1. The present petition has been filed under Section 528 BNSS/ 482 Cr.P.C. for quashing of FIR No.199 dated 24.03.2024, registered under Sections 376 (2) (n) IPC at Police Station Adarsh Nagar, District Faridabad (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise dated 29.08.2025 (Annexure P-2) effected between the parties.

2. Heard learned counsel for the parties and also gone through the case file.

3. This Court, vide order dated 25.09.2025, directed the parties to appear before the trial Court/Illaq/Duty Magistrate for recording their statements with regard to the compromise, by passing the following order:-

“This petition under Section 528 of BNSS has been filed for quashing of FIR No.199 dated 24.03.2024 under Section 376(2)(n) of IPC, registered at Police Station Adarsh Nagar, District Faridabad and all



consequential proceedings arising therefrom, on the basis of mutual settlement dated 29.08.2025 (Annexure P-2).

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of statement of the prosecutrix. It is submitted that the prosecutrix is a mature lady, who got married in the year 2005, but had been residing separately from her husband since 2018. The prosecutrix was still married, the time when she met the petitioner with whom she was in a consensual relationship from the year 2019 to 2021. It was only in the year 2023 that the prosecutrix secured a divorce from her husband. As such, the allegation of establishing relations on the pretext of marriage does not stand any ground. The nature of the relation between the parties was consensual throughout. However, they parted ways due to the temperamental differences, whereafter the petitioner performed marriage with some other girl in February, 2024. In consequence thereof, the present FIR has been lodged by the prosecutrix against the petitioner. It is further submitted that now both the parties have resolved their disputes amicably and entered into a compromise. In support of his submissions, learned counsel has placed reliance upon the judgments of Hon'ble Supreme Court passed in SLP (Criminal) No.4326-2018, titled as "***Mahesh Damu Khare V/s The State of Maharashtra and another***", decided on 26.11.2024; Criminal Appeal No.2957-2025 titled as "***Madhukar and others V/s The State of Maharashtra and another***", decided on 14.07.2025 and Criminal Appeal No.1217-2022, titled as "***Kapil Gupta V/s State of NCT of Delhi and another***", decided on 10.08.2022.

In view of the compromise arrived at between the parties, they are directed to appear before the trial Court/Illaq/Duty Magistrate on 13.10.2025 or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. The trial Court/Illaq/Duty Magistrate shall submit the report



on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

1. *The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed person, in the case;*
2. *The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
3. *The stage of the trial/proceedings pending;*
4. *If, the compromise is genuine, voluntary and out of free will of the parties;*
5. *Whether any other criminal case pending against the accused.*

Report of the trial Court/Illaq/Duty Magistrate be awaited for 13.11.2025.”

4. Pursuant to the aforesaid order, report dated 10.11.2025 has been received from the Additional District and Sessions Judge, Faridabad. A perusal of the said report reveals that statements of the concerned persons have been recorded in the present case, who have stated that they have remarried and are happy in their respective lives.

5. There are catena of judgments of Hon’ble Supreme Court whereby, parameters governing the exercise of jurisdiction of Section 482 of the Code of Criminal Procedure are well settled. In a celebrated judgment cited as **State of Haryana Vs. Bhajan Lal, 1992 SUPP (1) SCC 335**, the Hon’ble Supreme Court has discussed different categories of cases wherein, the power under Section 482 Cr.P.C. could be exercised either to prevent abuse of process of law or otherwise to secure the ends of justice, while observing that it might not be possible to lay down any precise, clearly defined, sufficiently channelized, inflexible guidelines or rigid formulae and to give an exhaustive list or myriad kind of cases where such powers should be exercised. The following principles have been culled out:-



102 (1) Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused;

(2) Where the allegations in the First Information Report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code;

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused;

(4) Where the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155 (2) of the Code;

(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused;

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and



continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party;

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”

6. Reference can also be made to **Narinder Singh and Ors. Vs. State of Punjab and another, (2014) 6 SCC 466**, wherein the Hon’ble Supreme Court had observed that while exercising power under Section 482 of Cr.P.C., the High Court has to examine as to whether the possibility of conviction of accused is remote and bleak and continuation of criminal case would put him into great oppression and prejudice and injustice would be caused to him by not quashing criminal case.

7. The Hon'ble Supreme Court of India in the case of **Gian Singh vs. State of Punjab and another, 2012(4) RCR (Criminal) 543**, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected.

8. The Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052**, held that the High Court has the power under Section 482 Cr.P.C. to allow the compounding of noncompoundable offence(s) and quash the proceedings where the High



process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

9. Trite to say that the inherent powers of Trite to say that the inherent powers of this Court under Section 482 of Cr.P.C. can be exercised to secure the ends of justice, a fluid and ever evolving concept. Though, justice must be administered keeping in mind the broad objectives of legislature, a restrictive construction of inherent powers under Section 482 of Cr.P.C. may prevent the Courts from doing substantial justice, which is the end goal of every legal system. Needless to say that this power must ought to be exercised after careful circumspection, particularly in the context of quashing proceedings, bearing in mind, the nature and effect of the offence on the consciousness of the society; the seriousness of the injury, if any; voluntary nature of compromise between the accused and the victim; conduct of the parties and other relevant considerations.

10. On considering the peculiar facts and circumstances of the case as noted above, while keeping in view the well established position of law coupled with the reasons aforementioned, and given the fact that the parties have now solemnized marriage with different individuals, and are happy in their respective lives, this Court is of the considered opinion that it is a fit case for exercising inherent jurisdiction of this Court under Section 482 Cr.P.C, so as to secure the ends of justice. Quashing the FIR will accord quietus to all disputes between the parties, and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings, and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be



11. Resultantly, the present petition is allowed and FIR No.199 dated 24.03.2024, registered under Sections 376 (2) (n) IPC at Police Station Adarsh Nagar, District Faridabad (Annexure P-1) and all other consequential proceedings are quashed qua the petitioner on the basis of the compromise dated 29.08.2025 (Annexure P-2), **subject to payment of Rs. 20,000/- to be deposited by the petitioner(s) in the Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of one month.**

Pending application(s), if any, also stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

November 20, 2025

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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No