

2025:PHHC:107821



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

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**CRM-M-59013-2024
Date of Decision: 19.08.2025**

KAPIL @ RAJU

... Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Anshuman Dalal, Advocate
for the petitioner.

Mr. Kshitij Bharati, AAG, Haryana.

Mr. Abhinay Sharma, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J.

Prayer in this petition under Section 528 Bhartiya Nagrik Suraksha Sanhita, 2023 is for quashing of FIR No.190 dated 16.07.2018 (Annexure P-1) registered under Sections 354, 354-D, 452 and 506 IPC at Police Station Civil Lines, Rohtak, District Rohtak alongwith all consequential proceedings arising therefrom, on the basis of compromise dated 08.11.2024 (Annexure P-2) effected between the parties.

On 26.11.2024, this Court directed the parties to appear before the trial Court/Illaq Magistrate for recording of their statements with regard to compromise dated 08.11.2024.

In compliance of the aforesaid order, parties appeared before learned Judicial Magistrate Ist Class, Rohtak on 09.12.2024 and got recorded

their respective statements regarding compromise arrived at between them. Statement of the Investigating Officer, ASI Ravita, No.502/RTK was also recorded on 13.12.2024. Learned Judicial Magistrate Ist Class, Rohtak has submitted her report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. The operative part of the report is as under:

“..... In the present case, there is no other accused except accused Kapil @ Raju and neither any accused has been declared PO nor PO proceedings are pending against any of the accused. It is further submitted that FIR was registered against accused Kapil @ Raju under Sections 452, 354, 354-D, 506 of IPC and after completion of investigation, challan was also filed under these Sections. Neither any Section was altered during the investigation nor any accused was declared innocent. In the present case, there is no other victim except complainant Sonia @ Sunita. The present case is pending at the stage of prosecution evidence.

The compromise effected between the parties seems to be genuine, voluntarily and without any coercion or undue influence.”

Learned State Counsel and counsel for respondent No.2 have not raised any dispute regarding the factum of compromise. Vide order dated 16.12.2024, a Co-ordinate Bench of this Court has ordered quashing of FIR No.81 dated 09.06.2017 under Sections 354-A and 506 IPC, 1860 registered at Women Police Station, Rohtak, District Rohtak and all consequential proceedings, got registered by respondent No.2 against the petitioner. The parties apparently have resolved their differences and are desirous of moving on with their lives. Quashing of FIR will result in harmony and peace in the society. Refusal to quash, on the other hand, would lead to the agony of trial

which, if allowed to go ahead, would end in nothing but an acquittal, adding one more Court case to already overburdened Courts. Since the matter has been amicably resolved, continuation of the criminal proceedings would be an exercise in futility. This is a fit case to exercise powers under Section 528 Bhartiya Nagrik Suraksha Sanhita, 2023.

Following principles of law laid down by the Full Bench Judgment of this Court in *“Kulwinder Singh and others Vs. State of Punjab and another” 2007(3) RCR (Criminal) 1052* and Hon’ble Supreme Court in *“Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303*, the petition is allowed.

FIR No.190 dated 16.07.2018 (Annexure P-1) registered under Sections 354, 354-D, 452 and 506 IPC at Police Station Civil Lines, Rohtak, District Rohtak alongwith all the consequential proceedings arising therefrom are hereby quashed qua the petitioner.

(SHALINI SINGH NAGPAL)
JUDGE

AUGUST 19, 2025.
Rajender

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