

2026:PHHC:061622



CRM-M-22405-2026 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(128) CRM-M-22405-2026 (O & M)
Date of decision: 23.04.2026

Supreet Kaur

..... Petitioner(s)

V/s

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sumit Dua, Advocate,
for the petitioners.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present under Section 528 BNSS/482 Cr.P.C. is for issuance of directions to the official respondents to register an FIR under the relevant Section of the BNS of 2023 as earlier FIR (FIR No.64 dated 17.07.2024 under Sections 406 IPC at Police Station Women, District Jalandhar) has been quashed by this Court.

2. The learned counsel for the petitioner contends that the FIR No.64 dated 17.07.2024 under Sections 406 IPC at Police Station Women, District Jalandhar (Annexure P-1) was got registered at the instance of the petitioner/Supreet Kaur against respondents No.4 to 7. This Court vide order dated 29.07.2024 quashed the said FIR holding that the Indian Penal Code, 1860 has been replaced by Bharatiya Nyaya Sanhita, 2023 (BNS), However, at that stage, while quashing of the FIR, the petitioner who is none other than the complainant was never heard. Therefore, appropriate

2026:PHHC:061622



CRM-M-22405-2026 (O & M)

::2::

directions be issued to the investigating agency to now register an FIR under the appropriate Section(s) of BNS relating to Section 406 IPC i.e. Section 316(2) BNS, 2023. Reliance is placed on the judgment in ***Arun Kumar versus The State of Karnataka and others 2024 NCKHC-K 7531***.

3. I have heard the learned counsel for the petitioner.

4. Admittedly, an FIR No.64 dated 17.07.2024 under Sections 406 IPC at Police Station Women, District Jalandhar (Annexure P-1) registered at the instance of the petitioner has been quashed vide order dated 29.07.2024 (Annexure P-2) on the ground that Bharatiya Nyaya Sanhita, 2023 (BNS) replaced the Indian Penal Code, 1860 (IPC). However, the petitioner who was the complainant was never heard at the time when the said FIR was quashed which is in the teeth of the judgments in ***'Mahendra versus The State of Rajasthan and another (Crl. A. No.3065 of 2025 arising out of SLP (Criminal) No.3399/2025 decided on 14.07.2025), P. Santhoshi Anupama versus P. Purnachandra Rao & Ors. (Criminal Appeal No.547 of 2025 @ Special Leave petition (Crl.) No.460 of 2024 decided on 03.02.2025), Mithilesh Kumar Sharma versus State of Bihar and ors. (Criminal Appeal No.54 of 2019 (arising out of Special Leave petition (Criminal) No.9341 of 2017) decided on 11.01.2019) and Bharat Amratlal Kothari and another versus Dosukhan Samadkhan Sindhi & others 2009(4) RCR (Criminal)***. Further, the judgment in ***Arun Kumar (supra)*** would not be applicable because in that case the same Court quashed the FIR under the IPC and also directed the registration of a fresh FIR under BNS.

2026:PHHC:061622



CRM-M-22405-2026 (O & M)

::3::

5. In the instant case, the FIR 64 dated 17.07.2024 under Sections 406 IPC at Police Station Women, District Jalandhar (Annexure P-1) already stands quashed by a Co-ordinate Bench of this Court and as this Court cannot now direct the registration of an FIR under the provisions of the BNS.

6. In view of the above, I find no merit in the present petition and the same stands dismissed.

7. Needless to say that the petitioner may challenge the order dated 29.07.2024 (Annexure P-2) or avail her remedies in accordance with law.

8. The pending application(s), if any, shall stand disposed of accordingly.

April 23, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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