



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

140

CRM-M-71068-2025

Date of decision : 01.04.2026

ARUN KUMAR AND OTHERS

..... PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present :- Mr. Sanjeev Majra, Advocate
for the petitioners.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Hement Kumar, Advocate
for respondent No.2.

SURYA PARTAP SINGH. J.(Oral)

1. This petition seeking for quashing of FIR has been filed with regard to a case arising out of FIR No.39 dated 21.02.2025, Police Station Cyber Crime, Karnal for the commission of offence punishable under Sections 61, 318(4) of Bharatiya Nyaya Sanhita, 2023.

2. It has been contended by learned counsel for the petitioner that the parties have amicably settled their dispute, and that they have reached to a compromise. As per learned counsel for the petitioner, in view of abovementioned compromise the FIR in question be quashed.

3. A perusal of record shows that the offence for which the report has been filed by the police is punishable under Section 318(4) of BNS, which is otherwise compoundable. Since the challan has been filed and the learned trial Court is already seized of the matter, the compounding of instant offence can order by the learned trial Court, itself.

4. Here it shall not be out of place to mention that in the present case, the petitioners are being prosecuted for the commission of offence punishable under Sections 61 and 318(4) of BNS. Section 61(2)(a) of BNS provides as under:-

*“Whoever is a party to a criminal conspiracy—
(a) to commit an offence punishable with death, imprisonment for life or rigorous imprisonment for a term of two years or upwards, shall, where no express provision is made in this Sanhita for the punishment of such a conspiracy, be punished in the same manner as if he had abetted such offence”*

5. It is also relevant to mention here that Section 359(3) of Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as ‘BNSS’, provides as under:-

“When an offence is compoundable under this section, the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) or where the accused is liable under sub-section (5) of section 3 or section 190 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023), may be compounded in like manner.”

6. If the abovementioned two provisions are considered conjointly, it transpires that although in the tablet showing the offences, which are compoundable, Section 61 of BNS does not find mention, but the

conjoint reading of Section 359(3) of BNSS and Section 61(2)(a) of BNS shows that conspiracy being punishable as an abetment and abetment of any compoundable offence being compoundable in the case in hand, Section 61(2)(a) of BNS is a compoundable offence.

7. In view of above-mentioned observations, it is hereby observed that the offence being compoundable, the parties are directed to approach the learned trial Court for compounding of offence.

8. The present petition is hereby disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

01.04.2026

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	No