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

CRM-M-6464-2025

Date of decision: 04.03.2025

Nitin Yadav and others

....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sandeep Kumar Yadav, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG, Haryana.

Ms. Deepika, Advocate
for respondents No.2 & 3.**HARPREET SINGH BRAR, J. (ORAL)**

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0015 dated 08.01.2025 under Sections 115/191(2)/191(3) of BNS (earlier Sections 321/147/148 of IPC) registered at Police Station Gurugram Sadar, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of affidavits dated 24.01.2025 (Annexures P-2 & P-3).

2. On 04.02.2025, the following order was passed:-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0015 dated 08.01.2025 under Sections 115/191(2)/191(3) of BNS (earlier Sections 321/147/148 of IPC) registered at Police Station Gurugram Sadar, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of affidavits dated 24.01.2025 (Annexures P-2 & P-3).

Notice of motion for 04.03.2025.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Deepika, Advocate accepts notice for respondents No.2 & 3 and files her memorandum of appearance and admits to the factum of compromise. She is directed to file her power of attorney on or before the next date of hearing. 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. The learned State counsel submits that the offence under Section 110 of BNS which is punishable upto seven years has been added during investigation and the same has not been mentioned in the head note and the prayer clause of the petition as well as in the order dated 04.02.2025 passed by this Court.

4. Learned counsel for the petitioners submits that the aforementioned offence has been added after filing of the present petition and submits that on his oral request, the offence under Section 110 of BNS may be added in the head note and prayer clause of the petition as well as in the order dated 04.02.2025 passed by this Court.

5. Allowed as prayed for and offence under Section 110 of BNS is ordered to be incorporated in the present petition as well as in order dated 04.02.2025 passed by this Court.

6. Registry is also directed to add Section 110 of BNS in the head note as well as in the prayer clause of the main petition.

7. 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.

8. 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**



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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 (Crl.) 1052, this petition is allowed and FIR No.0015 dated 08.01.2025 under Sections 115/191(2)/191(3) of BNS (earlier Sections 321/147/148 of IPC) and Section (110 of BNS added later on) registered at Police Station Gurugram Sadar, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

04.03.2025*Neha*

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