



CRM-M-57949-2024

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

(216)

CRM-M-57949-2024

Date of Decision:- 13.08.2025

Gurpreet Singh and Anr.

.....petitioners

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Lakshay Bector, Advocate for the petitioners.

Mr. Japjot Singh AAG, Punjab.

Mr. Saurav Kanojia, Advocate for respondent No.2.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.163 dated 07.07.2022, registered under Sections 376, 506, 120-B of IPC, at Police Station Jamalpur, Ludhiana and subsequent proceeding arising therefrom on the basis of compromise dated 13.08.2024 (Annexure P-3).

2. Keeping in view the fact that the parties entered into a settlement, the Coordinate Bench vide order dated 21.11.2024 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 07.01.2025 has been received from Additional District and Sessions Judge, Ludhiana, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.



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3. Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection in quashing of the FIR on that basis.

4. Learned State counsel has submitted that, in fact, the cancellation report in the present FIR was duly submitted before the competent Court, who did not accept the same and has ordered for further investigation. However, in the light of the fact that petitioner No.1 has solemnized marriage with the prosecutrix on 27.07.2025 and they have been blessed with a child, therefore, no useful purpose would be served by keeping the present FIR pending, which could cause disharmony between the parties.

5. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are break. The power under Section 528 BNSS, can be exercised in such matters. It has been held by Supreme Court of India in cases titled as *Madhukar and Ors. Vs. The State of Maharashtra and Anr., SLP (Crl.) No.7212 of 2025* decided on 14.07.2025 and *Mahesh Mukund Patel VS. State of U.P. and Ors., SLP (Crl.) No.492 of 2025* decided on 28.02.2025 that in peculiar facts and circumstances of the cases, an FIR under Section 376 can be quashed on account of settlement/compromise between the parties.

6. Consequently, this petition is allowed. FIR No.163 dated 07.07.2022, registered under Sections 376, 506, 120-B of IPC, at Police



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Station Jamalpur, Ludhiana and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to cost of Rs.10,000/- to be paid by the petitioners jointly within a period of one month from today.

The cost shall be deposited in the following account: -

Day Care Centre for Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh is being run by Chandigarh Scheduled Castes, Backward Classes & Minorities Financial & Development Corporation.

August 13, 2025

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No

**(ALOK JAIN)
JUDGE**