

**CRM-M-669-2025****1****204/2 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRM-M-669-2025  
Decided on 04.09.2025****Amit Tanwar****.....Petitioner****Versus****State of Haryana and Another****.....Respondents****CORAM : HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Nitish Yadav, Advocate for the petitioner.

Mr. Kshitij Bharti, AAG, Haryana.

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**SHALINI SINGH NAGPAL, J.**

1. Petitioner seeks quashing of FIR No. 271 dated 05.11.2024 under Sections 69, 79 and 351(3) of BNS registered at Police Station Sahlawas, District Jhajjar and all subsequent proceedings arising therefrom, on the basis of compromise dated 23.12.2024
2. On 22.01.2025, this Court directed the parties to appear before the trial Court/Illaq Magistrate for recording of their statements regarding compromise dated 23.12.2024.
3. In compliance of the aforesaid order, parties appeared before learned JMIC, Jhajjar on 28.01.2025. Statement of ASI Sudesh was also recorded. Learned Additional JMIC, Jhajjar has submitted his report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Point-wise report as under has been submitted:



1. *As per the statement of the I.O., the FIR at hand was registered against accused Amit Tanwar only. Accused Amit Tanwar, being the only accused, has appeared before this court and voluntarily suffered his statement.*

*As per the statement of the I.O. and perusal of the case file, none of the aforesaid accused has been declared as a proclaimed offender so far.*

2 *According to the statement of Investigating Officer, and the perusal of the case file, Ms. Priyanka, is the only victim/complainant in the case. The complainant/victim Priyanka has come present before this Court and has voluntarily suffered her statement.*

3. *As per the statement of I.O., the Investigation in the present case is still pending and challan is yet to be filed before the Court.*

4. *It is most respectfully submitted that on being individually enquired about the voluntary nature of the compromise, all the parties to the petition have stated that the matter has been voluntarily and amicably settled amongst all of them without any fear or undue influence. Their statements to this effect were recorded and the same are attached herewith for the kind perusal of the Hon'ble Court*

5. *As per the statement of the I.O., apart from the present case, no other criminal case is registered against the accused at present.*

4. Learned State counsel has not raised any dispute regarding the factum of compromise.

5 A few facts may be noticed.

6. Police registered the case on complaint of prosecutrix/respondent No.2 who alleged that in February, 2024, her marriage was fixed with Amit Tanwar (hereinafter referred to as the petitioner) son of Om Parkash resident of Village Kaunka, Tehsil and District Rewari working as PSI in Haryana Police, District Palwal. They



both started talking to each other and got involved. When her family members went to petitioner's house, they were insulted and abused by the family of petitioner. Petitioner, however, assured her family members that he would marry her and they need not worry. They again started talking to each other on phone and continued the relationship. On 14.09.2024, petitioner came to her house and took her to the fields, 3-4 kms away from his village in his new Fronx car. There, he forcibly made physical relations with her saying that she was his future wife. After that also, petitioner continued obscene acts with her on whatsapp video call on the pretext of marriage. On 12.10.2024, he raised demand of 35-40 lakhs for building separate house where they would reside after marriage. Prosecutrix/respondent No.2 told him that her father was a daily wager and was not in a position to pay the amount. This made the petitioner angry and he started abusing and threatening her. He also refused to marry her and threatened her not to disclose anything to her family about their relations. He also threatened to make her videos viral and to kill her, leaving her disturbed.

7. Though, the offence under Section 69, 79 and 351(3) of BNSS is non-compoundable, serious in nature, this Court is not foreclosed from examining the veracity of allegations which, if proved, would lead to proving the charge for the commission of offence. The Court is also required to consider whether the settlement between the parties will result in peace and harmony between them.

8. Reverting to the facts of the case, petitioner is 28 years old, whereas, age of respondent No.2, at the time when the case was registered, was around 24 years. Both had attained the age of discretion. The case is at initial stage as challan has been presented in the Court only on 07.02.2024.



At the time of alleged occurrence, both petitioner and respondent No.2 were mature adults. Their marriage was already fixed by their parents. Respondent No.2 at the relevant time was mature enough to understand the consequences of the act she was consenting to. From the facts narrated by the prosecutrix, it cannot be discerned that the promise made by petitioner to marry her was false or that petitioner had no intention of fulfilling it. Nor it can be said that on the basis of false promise, she was induced into sexual intimacy. It can readily be inferred from the narrative that the relationship between the two was purely consensual.

9. In '*Madhukar and others vs. The State of Maharashtra and another*', 2025 *LiveLaw* (SC)710, Hon'ble Supreme Court of India recognizing that offence under 376 of the Indian Penal Code is of a grave and heinous nature, observed that the power of Court under Section 482 Cr.P.C. to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case. In that case, the complainant expressed desire not to pursue the case on the ground that she was now married, settled in personal life and continuing with the criminal proceedings would only disturb her peace and stability. Hon'ble Supreme Court observed that the parties had amicably resolved their differences and arrived at mutual understanding and continuation of trial would not serve any meaningful purpose, rather would only prolong distress for all concerned specially the complainant and burden the Court without the likelihood of productive outcome.

10. The case before us is on identical footing. In her statement before learned JMIC, Jhajjar, respondent No.2 has affirmed that she entered into compromise without any pressure or coercion or undue influence and



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had no objection if the proceedings of the FIR were quashed. She also affirmed that she is now married with the petitioner. Petitioner and Respondent No.2 have settled in matrimonial life and have decided to resolve all their disputes for betterment of their future.

11. Following the principles of law laid down by a 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*, it is a fit case warranting exercise of discretion under Section 482 Cr.P.C. The parties have resolved their dispute amicably and should be saved from the agony of criminal trial, which would be an exercise in futility, given the nature of allegations against the petitioner and the fact that parties are now married. Continuation of criminal proceedings will only add to the sufferings of the parties.

12. Accordingly, FIR No. 271 dated 05.11.2024 under Sections 69, 79 and 351(3) of BNS registered at Police Station Sahlawas, District Jhajjar and all subsequent proceedings arising therefrom, is quashed qua the petitioner.

13. Pending application(s), if any, also stands disposed of.

**(SHALINI SINGH NAGPAL)**  
**JUDGE**

**04.09.2025**  
Sumit Singla

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No