

**CRM-M-5885-2025**

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

(241)

CRM-M-5885-2025Date of Decision:- **19.05.2026**

Raman Kumar and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN********

Present: Mr. Harish Thakur, Advocate for the petitioners.

Mr. Iqbalpreet Singh, AAG, Punjab.

Ms. Deepti Ramphal, Advocate for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking quashing of FIR No.79 dated 30.06.2020 under Sections 376-D, 324, 506 and 34 of the Indian Penal Code, 1860 (Section 376-D IPC deleted later on), registered at Police Station Taragarh, District Pathankot (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of the compromise dated 22.11.2024. (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, a Co-ordinate Bench of this Court vide order dated 24.02.2025 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 07.04.2025 has been received from the learned Chief Judicial Magistrate, Pathankot, 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 for respondent No. 2 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

4. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 528 BNSS can be exercised in such matters. It has been held by Supreme Court of India in cases ***Gian Singh v. State of Punjab and another* 2012(10) SCC 303** and ***Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406** that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

5. It is a strange case that the complainant raised allegation as serious as being violated by multiple individuals including the petitioners. However, the complainant has failed to demonstrate any plausible cause for delay in reporting the matter to the police and the medical evidence was also not there to corroborate her allegations. Subsequently, the complainant conveniently entered into a compromise by stating that the FIR was lodged due to misunderstanding. Leveling such serious allegations under Section 376-D IPC that too on account of misunderstanding clearly demonstrates that the complainant had abused the process of law only to exert undue pressure and has mislead the Authorities. Apart from this, it needs to be recorded that such kind of misadventures by the women, in fact, demean the stature of a women in the society and the same needs to be dealt with

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strict hands. The integrity of the man has been severely ruined by the allegations levelled by the complainant who conveniently submit that the FIR was got lodged due to misunderstanding. The exemplary cost deserves to be imposed upon respondent No. 2 only to protect the dignity of the women, which has been undermined by the complainant's conduct in the present case.

6. However, considering the fact that the parties have compromised the matter and the statements have also been recorded, the present petition is allowed. FIR No.79 dated 30.06.2020 under Sections 376-D, 324, 506 and 34 of the Indian Penal Code, 1860 (Section 376-D IPC deleted later on), registered at Police Station Taragarh, District Pathankot (Annexure P-1), and all other subsequent proceedings arising therefrom, are hereby quashed *qua* the petitioners, subject to payment of cost of Rs. 10,000/- to be deposited by the each petitioner and Rs. 1,00,000/- to be deposited by respondent No. 2 for her misadventures, within one month from today in the following account:

Indian Red Cross Society UT Branch Chandigarh,

SBI New Haryana Sectt. Sector-17, Chandigarh,

A/c No.44938097476,

IFSC Code SBIN0010603

UPI I'd 06280730090@sbi.

7. In case, respondent No. 2 fails to deposit the stipulated cost or pressurize the petitioners to deposit this cost on her behalf, the State shall shall recover the same through arrears of land revenue by attaching all properties and assets owned by her.



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8. This order shall not be construed as any precedent and has been passed in the peculiar facts and circumstances of this case.

(ALOK JAIN)
JUDGE

19.05.2026

Parul

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No