



CRM-M-26313-2026 (O&M)

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

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Date of decision: 17.07.2026

SUSHIL KUMAR AND OTHERS**...PETITIONERS****VERSUS****STATE OF HARYANA AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Ms. Varsha Chaudhary, Advocate for
Mr. Sandeep Singh Jattan, Advocate for the petitioners.

Mr. Kshitij Bharti, AAG Haryana.

Ms. Sundeep Kaur, Advocate for respondent No.2.

Shalini Singh Nagpal, J. (Oral)

1. Petitioners seek quashing of FIR No.118 dated 08.06.2014 under Sections 148, 149, 323, 324, 326 and 506 IPC, Police Station Mullana, District Ambala, judgment of conviction dated 25.02.2020, order of sentence dated 26.02.2020 of learned Judicial Magistrate Ist Class, Ambala and all subsequent proceedings arising therefrom and all consequential proceedings arising therefrom, on the basis of compromise dated 30.04.2026.

2. On 11.05.2026, this Court directed the parties to appear before learned trial Court/Illaq Magistrate for recording of their statements with regard to compromise dated 30.04.2026.

3. In compliance of the aforesaid order, parties appeared before learned Judicial Magistrate Ist Class, Ambala on 26.05.2026. Statement of Investigating Officer SI Sham Lal (Retired) was recorded on 02.06.2026. Learned Judicial Magistrate Ist Class, Ambala has submitted his report recording satisfaction that all the parties have entered into a valid



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compromise without any influence or coercion. Point-wise report as under has been submitted:

“I. Total number of persons found involved as accused in the dispute/FIR;

Six.

II. Number of complainant/victim(s);

One.

III. Whether all the accused and complainant/victims are party to compromise and signed the same;

Yes.

IV. In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; or his/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;

No.

V. Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;

No.

VI. Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;

Compromise is genuine, voluntary, and without any coercion or undue influence.

VII. Any other aspect relevant to the present case.

No.”

4. Learned State counsel and learned counsel for respondent No.2 have not raised any dispute regarding the factum of compromise between the parties.

5. It is no longer *res integra* that non-compoundable criminal cases can be quashed under Section 528 Bharatiya Nagrik Suraksha Sanhita, 2023 even if the compromise is reached after conviction in the trial. In ***Ramgopal and Another Vs. State of Madhya Pradesh and Krishnappa and Others Vs. State of Karnataka 2021(4) RCR (Criminal) 322***, Hon’ble

Supreme Court had the occasion to deal with a matter wherein the appellants



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were convicted by learned JMIC, whereafter a compromise ensued between the parties. The Court of learned Sessions Judge, in appeal, acquitted the appellants in some of the offences but maintained their conviction under Section 326 read with Section 34 IPC offence being non-compoundable. In revision, the High Court refused to compound the offence under Section 326 IPC in the light of the compromise, the offence being non-compoundable. Hon'ble Supreme Court, after considering various judicial precedents, observed as under:

*“It appears to us that criminal proceedings involving non-heinous offences or where the offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has already been concluded or appeal stands dismissed against conviction. Handing out punishment is not the sole form of delivering justice. Societal method of applying laws evenly is always subject to lawful exceptions. It goes without saying, that the cases where compromise is struck post- conviction, the High Court ought to exercise such discretion with rectitude, keeping in view the circumstances surrounding the incident, the fashion in which the compromise has been arrived at, and with due regard to the nature and seriousness of the offence, besides the conduct of the accused, before and after the incidence. The touchstone for exercising the extra-ordinary power under Section 482 Cr.P.C., 1973 would be to secure the ends of justice. There can be no hard and fast line constricting the power of the High Court to do substantial justice. A restrictive construction of inherent powers under Section 482 Cr.P.C., 1973 may lead to rigid or specious justice, which in the given facts and circumstances of a case, may rather lead to grave injustice. On the other hand, in cases where heinous offences have been proved against perpetrators, no such benefit ought to be extended, as cautiously observed by this Court in **Narinder Singh & Ors. v. State of Punjab & Ors., (2014) 6 SCC 466 and Laxmi Narayan (Supra).**”*

6. In the case in hand, petitioners have been convicted under Sections 148, 149, 323, 324, 326 and 506 IPC. The parties have resolved



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their entire disputes. The compromise has been reached between the parties on their own volition without any coercion or undue influence. It is a fit case to exercise discretion and to quash the proceedings in the exercise of inherent powers under Section 528 BNSS/482 Cr.P.C. Since the matter has been amicably settled between the parties, continuation of the criminal proceedings would be an exercise in futility.

6. FIR No.118 dated 08.06.2014 under Sections 148, 149, 323, 324, 326 and 506 IPC, Police Station Mullana, District Ambala and all consequential proceedings arising therefrom, are quashed qua the petitioners, on the basis of compromise dated 30.04.2026.

7. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

17.07.2026
HS.CHAUHAN

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No