

2025:PHHC:176592



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

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**CRM-M-13853-2025 (O&M)
Date of Decision: 19.12.2025**

JAG MOHAN @ KALLA AND OTHERS

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Samay Sandhawalia, Advocate
for the petitioners.

Mr. Vijay Kumar, AAG, Haryana.

Mr. Puneet Bali, Advocate for
Respondents No.2 and 3.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking quashing of FIR No.10 dated 07.01.2019 under Sections 323, 506 and 34 IPC (Section 307 of IPC added later on) registered at Police Station Civil Line, Kaithal, District Kaithal (Annexure P-1) alongwith all subsequent proceedings arising therefrom on the basis of compromise dated 03.03.2025 (Annexure P-2).

2. Learned counsel for the petitioners contends that the matter has been compromised between the parties by virtue of compromise deed dated 03.03.2025 (Annexure P-2) and the complainant as well as the injured have duly sworn their respective affidavits dated 29.03.2025 with regard to the compromise arrived at between the parties. The said affidavits in original are attached with the petition as

Annexure P-3 and P-4. Learned counsel for the petitioners further submits that the dispute between the parties was personal and the same has no impact on society. Furthermore, compromise arrived at between the parties is genuine and has been effected out of their free will and without any coercion. In support of his arguments, learned counsel for the petitioners has placed reliance on the judgmentss of this High Court passed in the matter of ***Ranjit Kumar @ Ghukka Versus State of Punjab and others, CRM-M-43211 of 2024*** decided on ***25.10.2024*** and ***Kehar Singh and others Versus State of Haryana and Others, CRM-M-36359 of 2021*** decided on ***13.02.2025*** as well as the judgment of Hon'ble Supreme Court passed in the matter of ***Naushey Ali & Others Versus State of U.P. and Another, 2025 INSC 182 and 2025 SCC Online SC 292***.

3. Learned counsel for respondents No.2 and 3 (complainant and the injured) also admits the factum of compromise arrived at between the parties and submits that the complainant as well as the injured have no objection if the FIR in question is quashed.

4. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

5. In ***Naushey Ali & Others Versus State of U.P. and Another, 2025 INSC 182 and 2025 SCC Online SC 292***, the Hon'ble Supreme Court has held as under:

“19. Keeping in mind the surrounding circumstances, the nature of the weapon and the nature of the injury, on facts, we are inclined to conclude that the overt act attributed to the appellants does not bring the case within the four corners of the Section 307 of IPC, either on a stand-alone basis or as held above with the aid of Section 149 of IPC.

20. *We are also inclined to conclude that considering the overall circumstances, the nature of the weapon and the nature of the injury (fracture of the head of distal phalanx of left ring finger), the offence alleged, on facts, does not fall in that category of cases where the court should deny relief in the event of a settlement. At the highest, the offence alleged could be one under Section 326 of IPC. It could not be said, on facts, considering all the circumstances that this is a crime which has such a harmful effect on the public and that it has the effect of seriously threatening the well-being of the society. We make it clear that we are saying so on the facts of the present case. We are also firmly of the opinion that proceeding with the trial, when parties have amicably resolved the dispute in the present case, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process to let this trial remain pending under the above circumstances, particularly when the dispute is settled and resolved.”*

Hence, it could safely be said that criminal proceedings initiated under Section 307 IPC can be quashed if offence so committed has no serious impact on the society and the parties have settled the dispute amicably.

6. Further, finding support from the case law of ***Naushey Ali & Others (supra)*** as well as following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and FIR No.10 dated 07.01.2019 under Sections 323, 506 and 34 IPC (Section 307 of IPC added later on) registered at Police Station Civil Line, Kaithal, District Kaithal (Annexure P-1) alongwith all subsequent proceedings arising therefrom on the basis of compromise dated 03.03.2025

(Annexure P-2) are quashed qua the petitioners, subject to payment of costs to the tune of Rs.15,000/- each to be paid with Punjab and Haryana High Court Employees Welfare Association, Chandigarh, Account No.37167209613, State Bank of India, High Court Branch, IFSC Code, SBIN0050306.

7. Other misc. application(s), if any, also stand(s) disposed of accordingly.

DECEMBER 19, 2025.
Rajender

(H.S. GREWAL)
JUDGE

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