



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

128+315

CRM-M-22288-2025 (O&M)
Date of decision: 15.07.2025

AJAY SINGH ALIAS AJAY BENIWALPetitioner

Versus

STATE OF HARYANA AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Manjeet Singh, Advocate for the petitioner.
Mr. Pawan Kumar Jhanda, DAG, Haryana.
Mr. Suresh Nain, Advocate for respondents No.2 and 3.

SANJAY VASHISTH. J.(Oral)

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 07.08.2023 (Annexure P-4), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station	District
89	27.05.2019	406, 420, 506, 120-B IPC	Bhattu Kalan	Fatehabad

2. In the instant quashing petition on 05.05.2025, following order was passed:-

- “CRM-18119-2025 IN CRM-M-44490-2023
- (i) This is an application filed under Section 528 of BNSS, 2023, seeking pre-ponement of the date of hearing in the main case from 04.09.2025, to an early date.
- (ii) In view of the averments made in the application, which is duly supported by



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an affidavit of the applicant-petitioner, prayer made therein is allowed, and the date of hearing in the main case, is pre-poned from 04.09.2025 to 05.05.2025, i.e., today itself and main case is being taken up for hearing today itself. CRM stands disposed of.

MAIN CASE(S)

1. CRM-M-44490-2023 CRM-M-44490-2023 CRM-M-44490-2023, has been filed u/s 482 Cr.P.C., for seeking quashing of impugned order dated 27.03.2023 (Annexure P-23 therein), vide which, petitioner has been declared as 'proclaimed person', in trial arising out of FIR No.89, dated 27.05.2019, u/s 406, 420, 506, 120-B IPC, registered at P.S. Bhattu Kalan, District Fatehabad (Annexure P-2 therein).

Whereas, CRM-M-22288-2025 CRM-M-22288-2025 CRM-M-22288-2025, has been filed by the petitioner– Ajay Singh @ Ajay Beniwal, for seeking quashing of FIR No.89, dated 27.05.2019, u/s 406, 420, 506, 120-B IPC, registered at P.S. Bhattu Kalan, District Fatehabad (Annexure P-1 therein), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 07.08.2023 (Annexure P-4 therein), effected between the parties.

2. On the very outset, counsel for the petitioner(s) submits that as per his knowledge, though petitioner was declared 'proclaimed person' vide order dated 27.03.2023, however, in consequence thereto, till date no FIR u/s 174-A IPC (corresponding Section 209 of BNS, 2023) has been registered by the police.

3. Counsel for the petitioner(s) further submits that the dispute in the main case i.e. in FIR No.89, dated 27.05.2019 impugned herein, has been resolved amicably and parties have agreed to get the proceedings quashed. However, in view of the order dated 27.03.2023, passed by the trial Court, petitioner is unable to put in appearance before the Court below, for recording his statement qua the factum of compromise.

4. The said averment is not disputed by counsel appearing on behalf of respondents No.2 & 3, rather, confirms the factum of compromise.

5. Keeping in view the fact that parties have amicably resolved their dispute and now, they are seeking quashing of the FIR in question, on the basis of compromise, effected between them.

6. In view of the facts & circumstances of the case, operation of the impugned order dated 27.03.2023 (Annexure P-23 in CRM-M-44490 2023), vide which petitioner was declared as 'proclaimed person' is hereby stayed till the next date of hearing.

7. Besides, the affected parties are directed to appear before the learned Trial Court/Illaq Magistrate, on or before 22.05.2025 22.05.2025 22.05.2025 or on



any other date convenient to said Court, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-

Sr. No.	Information required
I.	Total number of persons found involved as accused in the dispute/FIR
II.	Number of complainant/victim(s)
III.	Whether all the accused and complainant / victims are party to compromise & signed the same
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
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
VI.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence
VII.	Any other aspect relevant to the present case.

8. 15.07.2025 15.07.2025.
9. For further awaiting report and further consideration, list on Reply by the respondent-State, if any, be filed on or before the next date of hearing.
Photocopy of this order be placed on the file of other connected case. “

3. Pursuant to the aforementioned order, the parties appeared before the Court of learned Chief Judicial Magistrate, Fatehabad, and as per report dated 28.05.2025, submitted to this Court, both the parties have got recorded their respective statements in Court. The relevant part of the report reads as under:-

“In this regard, it is humbly submitted that in compliance of above order of Hon'ble Punjab and Haryana High Court, accused namely, Ajay Singh @ Ajay Beniwal (Petitioner No. 1 before the Hon'ble High Court) and Complainant Ankush Jangra and Mahavir Singh (Respondent No. 2 and Respondent No. 3 before the Hon'ble High Court) appeared before the Court on 22.05.2025 and their respective



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statements with regard to compromise have been recorded. In their respective statements, Accused Ajay Singh @ Ajay Beniwal (Petitioner No. 1 before the Hon'ble High Court) and Complainant Ankush Jangra and Mahavir Singh (Respondent No. 2 and Respondent No. 3 before the Hon'ble High Court) have stated that the compromise has been reached between the parties without any fear, pressure or coercion and undue influence and being genuineness and therefore they prayed for acceptance of their compromise.

Statement of ASI Talwinder Kaur being Investigating Officer was also recorded wherein he stated that she is the Investigating Officer of this case. She stated that there is only one accused namely Ajay Singh in instant FIR and only one Complainant namely Ankush Jangra and he was declared proclaimed person.”

4. Learned counsel for the petitioner also informs that initially there were two accused but one was found innocent and thus petition has been filed only by one accused i.e. petitioner Ajay Singh Alias Ajay Beniwal. He also clarifies that there are two victims in the case and both of them are party to this petition. Said contention is confirmed from the report 28.05.2025, sent by learned Chief Judicial Magistrate, Fatehabad.

Further submits that in view of the compromise so effected between the private parties, pendency of the FIR and consequential proceedings emanating therefrom would be sheer abuse of the process of law, and the same may be quashed.

5. Learned State counsel and learned counsel for private respondent(s), after going through the statements and the report received from learned Court below, very fairly admit that the private parties have resolved their dispute and effected a compromise and that they have no objection if the FIR (supra) and all the consequential proceedings are quashed on the basis of the compromise.

6. Through catena of judgments, Hon'ble the Apex Court and High Courts (including Punjab and Haryana High Court), have culled out various



principles of law concerning quashing of proceedings emanating after lodging of FIR, and some of them are as under:-

Power under Section 482 Cr.P.C./Section 528 BNSS can be exercised to enhance social amity, and to reduce friction.

Disputes which have their genesis in a matrimonial discord, landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the Court by exercising its powers under Section 482 Cr.P.C./Section 528 BNSS in the event of a compromise, but this is not to say that the power is limited to such cases.

There can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 Cr.P.C./Section 528 BNSS "to prevent abuse of the process of any Court" or "to secure the ends of justice".

No embargo, be in the shape of Section 320(9) Cr.P.C./Section 359 BNSS, or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C./Section 528 of the BNSS.

The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour.

High Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 Cr.P.C./Section 359 BNSS, in order to prevent the abuse of law and to secure the ends of justice.

Power under Section 482 Cr.P.C./Section 528 BNSS is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court.

Such power has no limits. However, the High Court will exercise it sparingly and with utmost care and caution.

The exercise of power has to be with circumspection and restraint.

The Court is a vital and an extra-ordinary effective instrument to maintain and control social order.

The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society.

Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.

Matters which can be categorized as personal in nature or where nature of injuries do not exhibit mental depravity or involves commission of an offence of such a serious nature that quashing of FIR would override the public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

In this regard, judgments cited are:



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1. Gian Singh v. State of Punjab and another, (2012) 10 SCC 303 (SC);
2. Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641 (SC);
3. Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834 (SC); and
4. Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 [P&H FB]

7. After hearing learned counsel for the parties and going through the material available on record, this Court finds that there appears to be substance in the submission of learned counsel for the petitioners that pendency of the present criminal litigation would be abuse of process of law since the chances of conviction of the petitioners are bleak in view of the compromise, so effected between the private parties.

8. The report alongwith statements of the affected parties received from learned Court below would reveal that the complainant/victim person(s) **has/have** genuinely effected a compromise with the petitioners and **he/they has/have** no objection, if the impugned FIR and consequential proceedings are quashed.

9. Keeping in view the totality of the facts and circumstances of the case, including the report received by this Court and also, taking into consideration the aforementioned settled principles of law, this petition is accepted and **FIR (as detailed in para No. 1 above) and all the consequential proceedings arising therefrom** are hereby quashed *qua* the petitioners, in view of compromise dated 07.08.2023.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

15.07.2025
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No