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

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**CRM-M-30136-2025 (O&M)
Date of Decision: 08.07.2025**

Dilpreet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Tejinder Kaur, Advocate for
Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Mr. Vishal Munjal, Advocate for respondent No.2.

KIRTI SINGH, J.(Oral)

1. This petition under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed for quashing of FIR No.138 dated 04.11.2022 under Sections 498-A and 406 read with Section 34 of Indian Penal Code, 1860 (for short, 'IPC') registered at Police Station Sadar Gurdaspur, District Gurdaspur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 28.03.2025 (Annexure P-2) arrived at between the parties.

2. Heard learned counsel for the parties and also gone through the case file.

3. Vide order dated 28.05.2025, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the compromise.

4. Pursuant to the aforesaid order, report dated 10.06.2025 has



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been received from the Additional Chief Judicial Magistrate, Gurdaspur. A perusal of the said reports reveal that statements of the concerned persons have been recorded in the present case, who have stated that the matter has been settled between them and they have no objection in case the FIR in question is quashed. The compromise effected between them is genuine, without any undue influence and coercion.

5. The Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

6. Hon'ble the Supreme Court in the case of ***Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543***, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment reads thus:-

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code.

Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to

xxx. ”

8. Resultantly, the present petition is allowed and of FIR No.138 dated 04.11.2022 under Sections 498-A and 406 read with Section 34 of Indian Penal Code, 1860 (for short, 'IPC') registered at Police Station Sadar Gurdaspur, District Gurdaspur along with all consequential proceedings arising therefrom, are quashed qua the petitioners, on the basis of compromise dated 28.03.2025 (Annexure P-2) arrived at between the parties, **subject to payment of Rs.20,000/- to be deposited in Poor Patient Welfare Fund, PGIMER, Chandigarh** within a period of one month.

(KIRTI SINGH)
JUDGE

Rajeev (rvs)

Yes/No
Yes/No