



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

307

CRM-M-35327-2024
Date of decision: 08.09.2025

RUDRA BHAT ALIAS RUDRA BHATTPetitioner

Versus

STATE OF PUNJAB AND ANR ...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. N.S. Lucky, Advocate for the petitioner.
Mr. Manjinder Singh Bhullar, DAG, Punjab.
Mr. Shubhashish Kukreti, Advocate for respondent No.2.

SANJAY VASHISTH. J.(Oral)

1. Instant petition has been filed under Section 528 of BNSS, seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 23.05.2024, effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station
155	18.05.2023	323, 325, 308, 341, 506, 148, 149 IPC	City Kharar, District SAS Nagar

2. When this petition came up for consideration on 15.01.2025, following order was passed by this Court:-

“In compliance to the order dated 13.08.2024 passed by the co-ordinate bench of this Court, learned Sub Divisional Judicial Magistrate, Kharar has submitted its report dated 24.12.2024. Learned State



- 2-

counsel has filed reply by way of an affidavit of Karan Singh Sandhu, PPS, Deputy Superintendent of Police, SubDivision Kharar, District S.A.S. Nagar in the Court today. The same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

By referring to paragraph Nos. 5 and 6 of the reply, learned State counsel submits that there are total seven accused and FIR in regard to accused Nitin Yadav and Puneet Yadav has already been quashed by the co-ordinate Bench of this Court and present petition has been filed by one of the seven accused namely, Rudra Bhat @ Rudra Bhat. He further submits that there cannot be partial quashing of FIR because that may cause great prejudice or injustice to the remaining accused, who may ultimately be held guilty but at much belated stage.

Learned State counsel also submits that entertaining the partial quashing of FIR on the basis of compromise, where the number of accused is more, may unnecessarily give the complainant an opportunity to bargain time and again.

List on 27.03.2025 for consideration.”

3. Subsequently, on 06.05.2025, learned State counsel apprised this Court that there are total 06 accused in the present case, whereas, present petition has been filed by only present petitioner namely Rudra Bhatt. Further informed that proceedings *qua* co-accused, namely, Puneet Yadav and Nitik Yadav have been quashed vide order dated 06.05.2024 passed in CRM-M-62362-2023.

On the request made by counsel for respondent No.2/complainant who is the sole victim, case was adjourned for 08.07.2025, to ascertain whether complainant is ready to settle the matter *qua* all the accused, including those, who have not filed any compromise quashing petition.

4. On 08.07.2025, learned counsel for the petitioner as well as counsel for respondent No.2 made a joint statement that the sole victim/complainant, i.e. Irshad Malik, was willing to record of his statement afresh before the concerned



Magistrate to the effect that:-

“(i) The entire dispute, including all claims arising out of the present case, has been amicably and finally settled with all the accused in the case.

(ii) In view of the compromise and the statement being made before this Court, proceedings arising out of FIR No.155 dated 18.05.2023 can be quashed not only *qua* the present petitioner but also in respect of any other accused who may file a similar petition in future, based upon the same compromise/settlement and there would not be any objection by any of the victim/complainant to that effect.

(iii) He undertakes that no further claim, grievance, or legal action shall be raised/started against any of the accused persons in the matter, now or even in the future.

(iv) Present statement shall suffice for the purpose of quashing of the proceedings, in case, any petition for quashing of the proceeding in the present FIR is instituted by any co-accused in the future, no separate or additional statement would be required from the complainant or any of the victim for allowing the prayer in such petitions.”

5. Accordingly, vide order dated 08.07.2025 the parties were directed to appear before the learned Trial Court/Illaq Magistrate for getting their respective statements recorded with regard to the compromise, and concerned Court was asked to send its detailed report in that regard.

6. Today, learned counsel for the petitioner submits that, in compliance with the order dated 08.07.2025, passed by this Court, respondent No.2/complainant has got recorded his statement before the learned Magistrate, in accordance with law. Further submits that respondent No.2 in his statement dated 31.07.2025 stated as under:-

“Stated that I am only complainant/victim person in present case. The entire dispute, including all claims arising out of the present case, has been amicably



- 4 -

and finally settled with all the accused in the case. In view of compromise and the statement being made before this court, proceedings arising out of FIR no. 155 dated 18.05.2023 can be quashed not only qua the present petitioner but also in respect of any other accused who may file a similar petition in future, based upon the same compromise/ settlement and there would not be any objection by any of the victim/complainant to that effect. I undertake that no further claim, grievance, or legal action shall be raised/ started against any of the accused persons in the matter, now or even in the future. Present statement shall suffice for the purpose of quashing of the proceedings, in case, any petition for quashing of the proceeding in the present FIR is instituted by any co- accused in the future, no separate or additional statement would be required from the complainant or any of the victim for allowing the prayer in such petitions. The compromise has been effected out of our free will without any coercion, inducement, threat or pressure.”

Thus, learned counsel argues that respondent no.2/complainant has agreed that the compromise arrived at by him pertains to all the accused in the case, including the one who is not before this Court, and therefore, the present petition deserves to be allowed by quashing the impugned criminal proceedings *qua* the present petitioner.

7. Learned State counsel as well as counsel for respondent No.2 have not raised any objection or controverted the submissions addressed by learned counsel for the petitioner.

8. Report has since been received from learned Sub Divisional Judicial Magistrate, Kharar in pursuance to the directions of this Court wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the private respondent has also made statement to the effect that he would have no objection



if the FIR *qua* the accused-petitioner is quashed. The relevant part of the said report is reproduced herebelow:

“I. That total number of persons involved as accused in the dispute/FIR is six i.e. Puneet Yadav, Nitik Yadav, Rudra Bhatt, Ridhim Ram Pal, Manish Pandaya and Priyanshu Chauhan @ Prince.

II. That there is only one complainant/victim namely Irshad Malik in this case.

III. There are six accused persons but only accused Rudra Bhatt is party to compromise whereas on the other side, Irshad Malik, who is the only complainant/victim, is party to compromise and both of them have signed the same.

IV. From the complainant party, there is no other affected person who is left out or not arrayed as party in the petition because there is only one complainant/victim namely Irshad Malik. As far as the accused party is concerned, accused Puneet Yadav, Nitik Yadav, Ridhim Ram Pal, Manish Pandaya and Priyanshu Chauhan @ Prince are neither party to the compromise nor to the petition for quashing. Only accused Rudra Bhatt is party to the compromise and he is the only petitioner in the quashing petition. It is pertinent to mention here that complainant Irshad Malik and accused Rudra Bhatt, both suffered their respective statements on 13.11.2024 regarding compromise and report in this regard was sent to Hon'ble High Court vide letter No. 259 dated 24.12.2024

V. No accused has been declared as a proclaimed offender/person and no such proceedings against him/her have been initiated or pending adjudication.

VI The compromise is genuine, voluntary and without any coercion or undue influence.

VII. Another relevant aspect is that accused Puneet Yadav, Nitik Yadav, Ridhim Ram Pal, Manish Pandaya and Priyanshu Chauhan @ Prince are neither party to the compromise nor to the petition for quashing. It is pertinent to mention here that complainant Irshad Malik and accused Rudra Bhatt, both suffered their respective statements on 13.11.2024 regarding compromise and report in this regard was sent to Hon'ble High Court vide letter No.259 dated 24.12.2024.”

9. In view of the report of the learned Sub Divisional Judicial Magistrate, Kharar, and the principles laid down by Hon'ble the Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, and also by the



Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

10. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below

11. Petition stands disposed of.

08.09.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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