



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-32315-2025 (O&M)

Date of decision: 16.12.2025

Sikander Singh and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- None.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for seeking quashing of FIR No.113 dated 09.08.2024 registered under Sections 118(2), 118(1), 115(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Cantonment, Amritsar, alongwith all the consequential proceedings arising therefrom, on the basis of compromise dated 02.06.2025 (Annexure P-2).

2. Lawyers are abstaining from work on account of a call from the High Court Bar Association.

3. The above FIR was registered on the statement of the complainant, Gian Chand, son of Bahadar Singh, aged about 68 years, resident of House No. 1077, Prem Gali, near Police Chowki Chheharta, Amritsar, who stated that he is employed in a factory, namely J.P. Processor, situated on Majitha Road, Amritsar. According to the complainant, he leaves his residence daily at about 10:30 a.m. for his duty and returns home at



around 5:00 p.m. after completing his work. On 07.08.2024, while returning home from duty at about 5:30 p.m., the complainant was riding his Activa scooter bearing registration No. PB-02-DR-2039. When he reached beneath the Guntala Bridge near Defence Colony, he was intercepted by a motorcycle bearing registration No. PB-02-EE-9785, on which two clean-shaven persons were riding, who stopped his Activa. At the same time, another grey-coloured Activa scooter bearing registration No. PB-02-ER-7921, carrying three clean-shaven young persons, approached from behind. He stated that the person seated at the rear of the said Activa, identified as Jaspreet Singh @ Jass, resident of Naushehra, Amritsar, was armed with a *datar* and inflicted blows upon the complainant. One such blow struck the complainant on his left arm near the wrist, as a result of which he fell to the ground. While the complainant was lying on the ground, the remaining assailants caused further injuries to him. The person driving the Activa was stated to be Prem, resident of Ram Avenue, Majitha Road, Amritsar. Of the two persons on the motorcycle, one was identified as Abhi, while the complainant stated that he could identify the other if produced before him. Upon hearing the hues and cries of the complainant, passers-by gathered at the spot, whereupon the assailants fled from the scene along with their weapons on their respective vehicles. The complainant further stated that the motive behind the occurrence was that certain persons did not approve of him working in the said factory. Thereafter, the complainant's son, Deepak took him to Amandeep Hospital, where he was admitted and was underwent



treatment. On the basis of the said statement, the complainant sought legal action against the above-named persons. With the intervention of the respectables of both the sides, the matter was mutually resolved and the settlement was arrived at on 01.06.2025, voluntarily and without any coercion, pressure or undue influence. The present petition was thereafter filed.

4. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 01.07.2025 of this Court, to get their statements recorded regarding the compromise arrived at between the parties and a report in this regard was called for.

5. Pursuant to the said order, report has been received from the Civil Judge (Jr. Divn.)-cum-Judicial Magistrate 1st Class, Amritsar vide Memo No. 406 dated 14.08.2025. The relevant extract of the report is reproduced as under:-

“1. Whether the statement of the parties are bona fide and not result of any pressure or coercion etc. in any manner?”

Ans. Compromise effected between the parties with their own free will. without any coercion or undue influence.

Whether the compromise effected between the parties is genuine and valid?

Ans Yes, the compromise effected between the parties is genuine and valid.

Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?



Ans Yes, all the accused, complainant and injured are party to the compromise.

IV Whether any other case is pending against either of the parties or not, if yes, the details thereof?

Ans No other case is pending against the parties except the accused Jaspreet Singh @ Jassa. The details are thereof i.e. FIR no. 81, 7 dated 26.03.2019. under section 452, 427, 380, 148, 149 IPC, PS Sadar, Amritsar and FIR no. 320, dated 28.11.2020 under section 379, 411 IPC PS Sadar, Amritsar

V Whether any of the persons involved in this case/dispute has declared a proclaimed offender?

Ans. No person has been declared as proclaimed person in the present FIR.

VI Whether any of the petitioner(s) is/are previous convict or not?

Ans. No petitioner(s) is/are convicted in any case till date.”

6. On 01.07.2025, learned counsel on behalf of respondent No. 2 has admitted the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) were summarized by the Hon'ble Supreme Court in the matter of '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641'. The relevant paragraphs are extracted as under:

“16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves



powers which inhere in the High Court.

- 16.2. *The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is noncompoundable.*
- 16.3. *In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.*
- 16.4. *While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.*
- 16.5. *The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.*
- 16.6. *In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious*



offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.

- 16.7. As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.*
- 16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.*
- 16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and*
- 16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial*



or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

8. The Hon'ble Supreme Court has held in the matter of **'Ramgopal And Another Vs State of Madhya Pradesh, 2021 SCC Online SC 834'**, that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

9. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings likely to be a waste of judicial time and there appears to be no chances of conviction.

10. The following relevant factors emerge from perusal of the case as well as the subsequent developments supplementing a case for invocation of the powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

i) The dispute in question was essentially personal in nature, having arisen out of a sudden misunderstanding and momentary temper flare-ups between the parties, rather than from any deep-rooted criminal intent or premeditated design.

ii) The contents of the FIR does not disclose elements of extreme



depravity, brutality or moral turpitude so as to warrant the continued invocation of the criminal process as a measure of deterrence.

iii) Petitioners No. 2, 4 and 5 are around 30 years of age, while Petitioners No. 3, 6, 7 and 8 are in their early twenties, being at a formative stage of their personal and professional lives. Petitioner No. 1, on the other hand, is 54 years of age and bears significant social, familial and professional responsibilities. Subjecting the petitioners to prolonged criminal proceedings would have serious and irreversible repercussions on their careers, livelihood, reputation and ability to discharge their social and familial obligations.

iv) The FIR pertains to the year 2024 and the continuation of criminal proceedings at this stage would serve no meaningful or productive purpose, particularly when the parties have moved beyond the incident and the likelihood of the complainant supporting the prosecution case appears remote. The criminal process cannot be permitted to degenerate into an instrument of harassment or oppression when the substratum of the dispute no longer survives.

5) The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court.

6) Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile expenditure of judicial time.



10. In view of the report of the Civil Judge (Jr. Divn.)-cum-Judicial Magistrate 1st Class, Amritsar and the principles laid down by the Apex Court in '*Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641', the instant petition is allowed. FIR No.113 dated 09.08.2024 registered under Sections 118(2), 118(1), 115(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Cantonment, Amritsar, alongwith all the consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of the compromise dated 02.06.2025 (Annexure P-3). However, the same would be subject to payment of costs of Rs.7,500/- to be deposited by each of the petitioners with the DHFWS SKS USER FEES CS OFFICE, PKL, Account No.50100189689492, IFSC Code: HDFC0004832, HDFC Bank Sector-6, Panchkula within a period of two months from receipt of certified copy of this order.

11. Petition is *allowed* in above terms.

(VINOD S. BHARDWAJ)
JUDGE

16.12.2025
Mangal Singh

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