



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

289

CRM-M-38624-2025 (O&M)

Date of decision: 27.11.2025

Rupinder Singh @ Aman @ Pendu and another

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Vikasdeep Singh, Advocate for the petitioner(s)
(through V.C.).

Mr. Saurav Verma, Addl. A.G., Punjab.

Mr. Vikas Gupta, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Present petition has been filed for seeking quashing of FIR bearing No. 152, dated 17.08.2024, registered under Sections 115(2), 118, 351(2), 126(1), 190, 191(3), 118(2) of the Bharatiya Nyaya Sanhita, 2023, Police Station Sultanpur Lodhi, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 02.07.2025 (Annexure P-2).

2. The present FIR had been registered on the statement of Rohanjot Singh. The allegations levelled are that on 08.08.2024 at about 3.30 p.m., complainant was on his way to bus stand and when he reached near motorcycle agency, Petitioners along with 16-17 unknown persons armed with kirpan, basebeall, hockey sticks surrounded him and gave him beatings. The reason behind the aforeasaid incident was that a few days ago

an altercation took place between both sides.

3. However, on 02.07.2025, the parties compromised the matter and filed the present petition for seeking quashing of FIR on the basis of compromise.

4. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 22.7.2025 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 Sub-Divisional Judicial Magistrate, Sultanpur Lodhi vide Memo No. 596 dated 28.08.2025. The relevant extract of the report is reproduced as under:-

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1	Total number and names of persons arrayed as accused.	As per statement of ASI Baldev Singh there are two accused arrayed as accused in the present FIR namely Rupinder Singh and Baljinder Singh.
2	Whether the present petition has been filed by all the accused?	Yes the present petition has been filed by all the accused.
3	Whether any accused is proclaimed offender?	As per statement of ASI Baldev Singh no accused is proclaimed offender in the present case.
4	Whether the compromise is genuine, voluntary and without any coercion or undue influence?	From the statements of the parties it transpires that the compromise is genuine, voluntary and without any coercion or undue influence.
5	Whether the accused are involved in any other FIR or not? (mention complete details of FIR, if involved)	As per statement of ASI Baldev Singh accused Rupinder Singh involved in following FIRs:- 1. FIR bearing No.11 dated 14.01.2013 under Section 377 and 506 of IPC, 3A, 4 POSCO Act, PS Sultanpur Lodhi. 2. FIR bearing No.298 dated 27.10.2018 under Section

		399, 402 of IPC PS Sultanpur Lodhi, FIR No.186 dated 05.07.2017 under Section 22/61/85 NDPS Act, PS Sultanpur Lodhi, 3 FIR bearing No.146 dated 01.06.2021 under Section 326, 324, 323, 506, 148 and 149 of IPC, PS Sultanpur Lodhi. 4. FIR bearing No.328 dated 03.10.2020 under Section 326, 452, 323 and 341 IPC, PS Sultanpur Lodhi. As per statement of ASI Baldev Singh accused Baljinder Singh involved in FIR bearing No.131 dated 23.10.2018 under Section 323, 326, 341, 506, 379-B, 148, 149 IPC 25/54/59 Arms Act, PS Sadar Kapurthala.
6	<i>The trial Court is also directed to record the statement of the investigating officer as to how many victims/complainants are there in the FIR.</i>	As per statement of ASI Baldev Singh there is only one complainant namely Rohanjot Singh in the FIR.
7	<i>Whether all the victims/injured/complainant have been impleaded as respondents in the present petition?</i>	As per record complainant namely Rohanjot Singh pleaded as respondent No.2 in the present petition.

6. Learned State counsel does not dispute the factum of the compromise amongst the parties and does not have any serious objection to the resolution of the dispute amongst the parties.

7. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

8. 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 non-compoundable.

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.”.*

9. The Hon'ble Supreme Court has held in **'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.

10. 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 is likely to be a waste of judicial time and there appears to be no chances of conviction.

11. 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 the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *Petitioner no 1, and 2 are 27 years and 24 years of age respectively and continued criminal incarceration will cause severe repercussions to the petitioners in discharge of their social obligation as well as in their work place and affect their career.*
- ii) *The FIR in question pertains to the year 2024 and therefore the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquility among parties.*
- iii) *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;*
- iv) *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 waste of judicial time.*

12. In view of the report of the Sub-Divisional Judicial Magistrate, Sultanpur Lodhi 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 bearing No. 152, dated 17.08.2024, registered under Sections 115(2), 118, 351(2), 126(1), 190, 191(3), 118(2) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sultanpur Lodhi, District Kapurthala and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of compromise dated 02.07.2025 (Annexure P-2). However, the same would be subject to payment of costs of Rs.15,000/- each to be deposited by the petitioners with the DHFWS SKS USERFEES 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.

13. Petition is **allowed**.

(VINOD S. BHARDWAJ)
JUDGE

27.11.2025

Mangal Singh

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