 2025:PHHC:145511

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

247 **CRM-M No.43238 of 2025 (O&M)**
Date of Decision :17.10.2025

Shankar Lal @ Shankar and others

.....Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present : Mr. Yogesh Jangra, Advocate for the petitioners.

Mr. Vijay Kumar, AAG, Haryana.

Mr. Karan Jangra, Advocate for respondents No.2 to 5.

SURYA PARTAP SINGH, J. (Oral):

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Surakhsa Sanhita, 2023, for quashing of FIR No.99 dated 10.06.2019, under Sections 148, 149, 294, 323 and 341 of IPC (Section 325 IPC added lateron), Police Station Bhattu Kalan, District Fatehabad (Annexure P-1), along with all other consequential proceedings arising therefrom, on the basis of compromise dated 28.04.2025 (Annexure P-2).

2. Heard learned counsel for the parties. Case file has also been perused carefully.

3. This Court, while issuing notice of motion vide order dated 08.08.2025, had directed the parties to appear before the Investigating Officer of the present case for recording of their statements with regard to genuineness of compromise.

4. Pursuant to aforesaid order, the learned State Counsel has filed

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status report. The same be taken on record. A perusal of abovesaid report reveals that statements of the concerned persons have been recorded, who have stated that the matter has been settled by them amicably, and that they have no objection if the FIR in question is quashed. As per report the compromise effected between the parties is genuine, without any undue influence and coercion.

5. As far as the offence allegedly committed by the petitioners is concerned, a perusal of the record shows that the offences punishable under Sections 148, 149 and 294 IPC, for which the petitioners have been prosecuted, are non-compoundable. If the facts and circumstances pertaining to present case are analysed in the backdrop of relevant principles, it transpires:-

i) that the occurrence involved in the present case is purely personal and private in nature;

ii) that there is no criminal history of the petitioners;

iii) that it does not involve heinous and serious offence of mental depravity;

iv) that the action of petitioners does not have a serious impact on the society;

v) that the cause of administration of criminal justice system would remain unaffected on acceptance of the amicable settlement between the parties.

vi) that the accused and the private respondent(s) have amicably settled the matter between them in terms of the compromise deed and the statements recorded before the Investigating Officer;

vii) that a perusal of the documents reveal that the settlement has not

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been secured through coercion, threats, social boycotts, bribes, or other dubious means,

viii) that the victim has willingly consented to the nullification of criminal proceedings;

ix) that there is no objection from the private respondents in case present FIR and consequent proceedings are quashed;

x) that in the given facts, the occurrence does not affect public peace or tranquility, moral turpitude or harm the social and moral fabric of the society or involve matters concerning public policy;

xi) that the rejection of compromise may lead to ill will and the pendency of trial affects career and happiness;

xii) that there is nothing on the record to prima facie consider the accused as an unscrupulous, incorrigible, and professional offender; and

xiii) that the exercise of the inherent power for quashing the conviction, sentence and all previous proceedings are justified to secure the ends of justice.

6. With regard to quashing on the basis of compromise the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052,** held that the High Court has jurisdiction, by virtue of Section 482 Cr.P.C, to allow the compounding of non-compoundable offence(s) and quash the proceedings, where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise

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to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

7. The Hon'ble Supreme Court of India in the case of **Gian Singh vs. State of Punjab and another, 2012(4) RCR (Criminal) 543,** 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. As per Hon'ble Supreme Court, 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 of Criminal Procedure. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accordance with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court."

8. In view of the afore-referred principles of law, and after perusing the reply filed by the State regarding amicable settlement between the petitioners and respondents No.2 to 5, this Court finds that quashing of FIR will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

9. Resultantly, the present petition is hereby allowed and the FIR No.99 dated 10.06.2019, under Sections 148, 149, 294, 323 and 341 of IPC

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(Section 325 IPC added lateron), Police Station Bhattu Kalan, District Fatehabad (Annexure P-1), along with all other consequential proceedings arising therefrom, are quashed on the basis of compromise dated 28.04.2025 (Annexure P-2).

10. Pending miscellaneous application(s), if any, also stands disposed of.

(SURYA PARTAP SINGH)
JUDGE

17.10.2025
Manoj Bhutani

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

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