



CRM-M-45885-2025

-1-

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

CRM-M-45885-2025

Date of decision: 30.10.2025

NITIN CHANDILA AND ORS.

...PETITIONERS

VERSUS

STATE OF HARYANA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Imtiyaz Hussain, Advocate for the petitioners.

Mr. Aditya Pal Singla, AAG, Haryana.

Mr. Aezaz Ahmed, Advocate for respondent No.2.

SUBHAS MEHLA, J. (ORAL)

1. Prayer in this petition is for quashing of FIR No.193 dated 26.06.2025 registered under Sections 331(6) & 309(6) of BNS and Section 25 of Arms Act, 1959, at Police Station Kheri Pul, District Faridabad, and all the subsequent proceedings arising therefrom on the basis of compromise dated 06.08.2025 (Annexure P-2) arrived at between the parties.

2. Status report by way of affidavit of Varun Dahiya, HPS, Assistant Commissioner of Police, Crime, Faridabad on behalf of the State has been handed over in the Court today and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

3. Brief facts of the case are that on 26.06.2025, the complainant gave a complaint stating that, he runs an OYO hotel and his maternal uncle lives there with him whose name is Sunder. At around 4 AM 3 boys came at his hotel and



CRM-M-45885-2025

-2-

they started beating the complainant and his maternal uncle, one of them was having pistol. They put pistol into complainant's mouth, and forcefully snatched three days earning which was around 17 to 18 thousand, from his pocket. Complainant made a call at 112 and the police reached there immediately. He presented the CCTV footage in a pen-drive in which two to three boys were seen.

4. Learned counsel for the petitioner submits that the petitioners and respondent No.2 have amicably settled the matter, and no dispute now remains pending between them. The said compromise dated 06.08.2025 has also been reduced into writing and a copy thereof has been placed on record as Annexure P-2. He further contends that continuation of the criminal proceedings would serve no useful purpose. He has placed reliance upon judgment of this Court in ***Gurpreet Singh and others Vs. State of Punjab and others, CRM-M-39394-2024*** and ***Sukhwant Singh and others Vs. State of Punjab and others, CRM-M-5905-2025*** decided on 16.10.2024 and 01.03.2025 respectively.

5. On the other hand, learned State counsel has opposed the prayer made by the learned counsel for the petitioner on the ground that there are specific and serious allegations against the petitioners that they robbed the complainant in his OYO hotel on the gunpoint. He further submits that the petitioners are seen in CCTV footage. As per status report, petitioners No. 2 and 3 are habitual offenders.

6. Learned counsel for respondent No.2 has not disputed the aforesaid factual aspects raised by learned State counsel.

7. This Court has considered the arguments and gone through the record carefully.



the Court's power under Section 482 Cr.P.C. (*which is pari materia with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023*) as spelt out in several judicial pronouncements of Hon'ble Supreme Court as well as different High Courts. The well settled proposition of law is that in exercise of inherent powers under Section 482 Cr.P.C., the High Court is not expected to analyze all the facts, which are to be placed before the High Court. The power conferred under this section is very specific. To secure the ends of justice, to prevent the abuse of process of Court or to make any such orders as may be necessary to give effect to any order under the Code, such power can be exercised to prevent abuse of process of Court. The Hon'ble Supreme Court has drawn up some guidelines in some categories of cases by way of illustration to circumscribe the exercise of inherent power under Section 482 of Cr.P.C. to prevent abuse of process of any Court or to secure the ends of the justice or to give effect to an order of the Court. Thereafter, Hon'ble Supreme Court in ***Gian Singh vs State of Punjab and another (2012) 10 Supreme Court Cases 303*** further dealt with the issue and the earlier law settled by the Supreme Court for quashing of the FIR in ***State of Haryana vs Bhajan Lal, 1992 Supp (1) SCC 335***. Para 61 of the judgment reads as under:-

“61. 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 prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their



dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and pre-dominantly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding."

9. In the present case, in the FIR, Sections 331(6), 309(6) of BNS and Section 25 of Arms Act have been invoked. The offences under Section 25 of Arms Act are against society and the concerned parties cannot be allowed to compromise the said disputes.



the *Bhajan Lal(Supra)* case; the petitioners are habitual offenders and the violation of the provisions of Arms Act has also been alleged, the same cannot be quashed on the basis of compromise between the concerned parties, as such offences are not limited to the parties concerned but are also against the society and the present petition stands dismissed.

30.10.2025
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(SUBHAS MEHLA)
JUDGE

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