



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

305

1)

CRM-M-48512-2024  
Decided on : 17.02.2025

Trilok Singh and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

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2)

CRM-M-49058-2024

Satnam Singh and others

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Mr. Shubkarman Kumar, Advocate  
for the petitioners (in CRM-M-49058-2024)  
for respondent No.2 (in CRM-M-48512-2024).

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Manoj Kaushik, Advocate  
for the petitioner(s) (in CRM-M-48512-2024)  
for respondent No.2 (in CRM-M-49058-2024).

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**SANJAY VASHISTH, J. (Oral)**

1. This order shall dispose of CRM-M-49058-2024 and CRM-M-48512-2024, as the same have emanated out of the same occurrence and prayer made therein is for quashing of criminal proceedings on the basis of compromise dated 16.09.2024, entered into between the affected parties.

2. It is a case of version and cross-version. Petitioners in CRM-M-49058-2024 are seeking quashing of DDR No.16, dated 02.11.2019, under Sections 323, 324, 326, 34 of IPC, in FIR No.112 dated 27.10.2019, under Sections 324, 506, 34 of IPC, registered at Police Station Dera Baba Nanak,



District Batala, and all subsequent proceedings arising therefrom, whereas petitioners in CRM-M-48512-2024 are seeking quashing of FIR No.112, dated 27.10.2019, under Sections 324, 506, 34 of IPC, registered at Police Station Dera Baba Nanak, District Batala, and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.09.2024, arrived at between the parties.

3. When both the petitions came up for consideration before the co-ordinate Bench of this Court, vide order(s) dated 01.10.2024 in CRM-M-49058-2024 and order dated 27.09.2024 passed in CRM-M-48512-2024, the affected parties were directed to appear before the learned trial Court/Illaq Magistrate, for getting their respective statements recorded with regard to the compromise. The trial Court/Illaq Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.

4. In compliance thereof, the affected parties did appear before learned Additional Civil Judge (Senior Division)-cum-Sub Divisional Judicial Magistrate, Batala, and got recorded their respective statements with regard to the compromise. Learned Court below sent its report dated 21.12.2024 in both the cases, alongwith statements of affected parties.

Operative part of the said reports is as under:-

*“Report in CRM-M-49058-2024*

*(i). As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak., in the present FIR, four accused 2 namely Satnam Singh son of Ajit Singh, Gurmukh Singh son of Ajit 3 4 Singh, Souravdeep Singh son of Satnam Singh and Navdeep Singh son of Gurmukh Singh all residents of VPO Jaurian Khurd, Tehsil Dera Baba Nanak, District Gurdaspur have been arrayed accused and no any other accused/petitioners have been arrayed in this petition.*

*(ii) As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak, in the present FIR there is only one complainant or affected/aggrieved party i.e. Jaspal Singh (since expired or on dated 29.10.2022). In the present*



*petition Gurpreet Kaur widow of Jaspal Singh r/o Dera Baba Nanak, Tehsil Batala, District Gurdaspur is respondent no.2.*

*(iii) As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak, in the present FIR neither any accused had been declared as proclaimed person/offender nor any P.O. proceedings are pending against any of the accused.*

*(iv) In view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected between them is found to be a valid compromise and has been effected without there being any kind of influence or coercion.*

*As such, report is submitted, accordingly, for the kind perusal of your goodself.”*

*Report in CRM-M-48512-2024*

*(i) As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak., in the present FIR, three accused 2 namely Trilok Singh son of Mukhtar Singh, Navtej Singh son of Surjit 3 Singh and Jagajot Singh son of Surjit Singh, all are residents of VPO Jaurian Khurd, Tehsil Dera Baba Nanak, District Gurdaspur have been arrayed accused and no any other accused/petitioners have been arrayed in this petition.*

*(ii) As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak, in the present FIR there is only one complainant or affected/aggrieved party i.e. Satnam Singh son of Ajit Singh, R/o Jourian Khurd, Dera Baba Nanak, Tehsil Batala, District Gurdaspur.*

*(iii) As per record and as per the statement of SI Kailash Chander No.2966/BTL, PS Dera Baba Nanak, in the present FIR neither any accused had been declared as proclaimed person/offender nor any P.O. proceedings are pending against any of the accused.*

*(iv) In view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected between them is found to be a valid compromise and has been effected without there being any kind of influence or coercion.*

*As such, report is submitted, accordingly, for the kind perusal of your goodself.”*

5. Learned counsel for the petitioner(s) submits that in view of the reports received from the learned Court Below, it is evident that the matter has been resolved and private parties have effected a compromise, and there remains no dispute amongst them requiring any adjudication. Further submits that in view of the compromise so effected between the private parties, pendency of the FIR and consequential proceedings emanating therefrom



would be sheer abuse of the process of law, and the same may be quashed.

6. Learned State counsel as also learned counsel for private respondent(s), after going through the statements and the report received from learned Court below, very fairly admit that the private parties have resolved their dispute and effected a compromise and that they have no objection if the FIR (supra) and all the consequential proceedings are quashed on the basis of the compromise.

7. Through catena of judgments, Hon'ble the Apex Court and High Courts (including Punjab and Haryana High Court), have culled out various principles of law concerning quashing of proceedings emanating after lodging of FIR, and some of them are as under:-

- *Power under Section 482 Cr.P.C./Section 582 BNSS can be exercised to enhance social amity, and to reduce friction.*
- *Disputes which have their genesis in a matrimonial discord, landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the Court by exercising its powers under Section 482 Cr.P.C./Section 582 BNSS in the event of a compromise, but this is not to say that the power is limited to such cases.*
- *There can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 Cr.P.C./Section 582 BNSS "to prevent abuse of the process of any Court" or "to secure the ends of justice".*
- *No embargo, be in the shape of Section 320(9) Cr.P.C./Section 359 BNSS, or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C./Section 582 of the BNSS.*
- *The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour.*
- *High Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 Cr.P.C./Section 359 BNSS, in order to prevent the abuse of law and to secure the ends of justice.*
- *Power under Section 482 Cr.P.C./Section 582 BNSS is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court.*
- *Such power has no limits. However, the High Court will exercise it sparingly and with utmost care and caution.*



- *The exercise of power has to be with circumspection and restraint.*
- *The Court is a vital and an extra-ordinary effective instrument to maintain and control social order.*
- *The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society.*
- *Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.*
- *Matters which can be categorized as personal in nature or where nature of injuries do not exhibit mental depravity or involves commission of an offence of such a serious nature that quashing of FIR would override the public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.*

In this regard, judgments cited are:

1. Gian Singh v. State of Punjab and another, (2012) 10 SCC 303 (SC);
2. Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641 (SC);
3. Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834 (SC); and
4. Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 [P&H FB]

8. After hearing learned counsel for the parties and going through the material available on record, this Court finds that there appears to be substance in the submission of learned counsel that pendency of the present criminal litigation would be abuse of process of law since chances of conviction of accused persons are bleak in view of the compromise so effected between the private parties.

9. The report(s) alongwith statements of the affected parties received from learned Court below would reveal that the complainant/victim person(s) have genuinely effected a compromise with the petitioners and they have no objection, if the impugned DDR and FIR and consequential proceedings are quashed.



10. Keeping in view the totality of the facts and circumstances of the case, including the report(s) received by this Court and also, taking into consideration the aforementioned settled principles of law, present petitions are accepted and **DDR as well as FIR (as detailed in para No. 1 above) and all the consequential proceedings arising therefrom** are hereby quashed *qua* the petitioners, in view of compromise dated 16.09.2024.

11. Petitions stand disposed of.

12. A photocopy of this order be placed on the file of other connected case.

**(SANJAY VASHISTH)**  
**JUDGE**

**February 17, 2025**

*Lavisha*

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