



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

252

CRM-M-45316-2025 (O&M)

Date of decision : 14.11.2025

Vishal Kandhol & Anr.

..... Petitioners

VERSUS

State of Punjab & Anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Pankaj Bali, Advocate for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Sikandh Mehta, Advocate for

Mr. Ankit Aggarwal, Advocate for the respondent No.2.

SURYA PARTAP SINGH, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagrik Surakhsa Sanhita, 2023, for quashing of FIR No.530 dated 14.09.2021, under Sections 323, 324, 506 and 34 of the Indian Penal Code and Sections 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, hereinafter being referred to as 'SC/ST Act', Police Station Sectors 32-33, District Karnal (Annexure P-1), along with all other consequential proceedings arising therefrom, on the basis of compromise, dated 13.08.2025, (Annexure P-3).

2. Learned counsel for the petitioners has contended that in the present case, the complainant has entered into compromise with the complainant on 13.08.2025. In support of his abovementioned arguments, the learned counsel for the petitioner has referred to the principles of law



laid down by the Hon'ble Supreme Court in the case of 'Ramgopal & Anr Vs. The State of Madhya Pradesh, 2022(14) SCC 531, and laid down by this Court in the cases of 'Anil Kumar & Others Vs. State of Haryana & Anr.' CRM-M-53399-2018, 'Gurmej Singh Vs. State of Punjab & Anr.' CRM-M-31995-2025, and that the present petition be allowed in terms of compromise and the FIR should be quashed, accordingly.

3. Heard the learned counsel for the parties. The case file has also been perused carefully.

4. The record has been perused carefully.

5. This Court, while issuing notice of motion vide order dated 29.09.2025, in order to check the genuineness of compromise, had directed the parties to appear before the learned trial Court/Duty Magistrate for recording of their statements, and the learned trial Court/Duty Magistrate was directed to submit a report.

6. Pursuant to aforesaid order, a report from the Court of learned Additional Sessions Judge Karnal, dated 16.10.2025 has been received. A perusal of abovesaid report reveals that statements of the concerned persons have been recorded, who have stated that the matter has been amicably settled between them, 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.

7. In the case of *Ramgopal (supra)*, the Hon'ble Supreme Court of India has observed that 'the jurisdiction of a Court under Section 320 CrPC



cannot be construed as a proscription against the invocation of inherent powers of the High Courts under Section 482 CrPC.

8. It has been further held that the touchstone for exercising the extraordinary powers under Section 482 CrPC, would be to do complete justice and therefore, this Court or the High Court, as the case may be, after having given due regard to the nature of the offence and the fact that the victim/complainant has willingly entered into a settlement/compromise, can quash proceedings in exercise of their respective constitutional/inherent powers’.

9. In the case of *Anil Kumar (supra)*, this Court while quashing of FIR under Sections 147, 148, 149, 323, 307, 341, 506 of IPC, Section 25 of Arms Act, and Section 3(2)(v) of the SC/ST Act, held that continuation of criminal proceedings would be an abuse of process of law and the compromise would bring peace and harmony.

10. Similarly, in the case of *Gurmej Singh (supra)*, this Court while quashing of FIR under Sections 127(2), 351(2), 324(2) of BNS, 2023, and sections 3(1)(R) and 3(1) of SC/ST Act, has held that the FIR and consequential proceedings can be quashed on the basis of a compromise between the parties in cases predominantly of civil nature, where the offences alleged are private in nature, and the compromise is voluntarily without coercion or undue influence.

11. As far as the offence allegedly committed by the petitioner is concerned, a perusal of the record shows that the offence punishable under Sections 324 & 34 of IPC and Sections 3(1)(s) and 3(2)(va) of SC/ST Act,



for which the petitioners have been prosecuted, is non-compoundable. If the facts and circumstances pertaining to present case are analyzed in the backdrop of relevant legal 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; and
- 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 concerned Court;
- vii) that a perusal of the documents reveal that the settlement has not 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;

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.

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

13. 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 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.

14. In view of afore-referred judgments and after perusing the report of the trial Court regarding amicable settlement between the petitioners and respondent No.2, 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.

15. Resultantly, the present petition is hereby allowed and the FIR No.530 dated 14.09.2021, under Sections 323, 324, 506 and 34 of IPC and Sections 3(1)(s) and 3(2)(va) of SC/ST Act, Police Station Sectors 32-33, District Karnal (Annexure P-1), along with all other consequential proceedings arising therefrom, are quashed, on the basis of compromise, dated 13.08.2025, (Annexure P-3).

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

(SURYA PARTAP SINGH)
JUDGE

NOVEMBER 14, 2025

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No