



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

134

CRM-M-46712-2025 (O&M)

BHUSHAN BHARDWAJ

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

Date of decision: 11.12.2025

Date of Uploading:11.12.2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vikas Kuthiala, Advocate for the petitioner
(Through VC).

Mr. Adhiraj Singh Thind, AAG, Punjab.

Mr. Virender Kumar, Advocate for respondent No.2.

SUMEET GOEL, J.

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.0137 dated 05.08.2023 under Sections 406, 420 of IPC, registered at Police Station Mataur, SAS Nagar Punjab and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 18.09.2023 (Annexure P-3), which is stated to have been effected between the parties.

2 On 12.11.2025, the following order was passed:

“Mr. Virender Kumar, Advocate, has put in appearance on behalf of respondent No.2 and has filed his vakalatnama in Court today. The same be taken on record.

At this juncture, learned counsel for the petitioner submits that an amicable settlement has been entered into between rival parties. This stand is not refuted by learned counsel for respondent No.2.



At joint request, parties are directed (through their respective counsels) to appear before the Mediation and Conciliation Centre of this Court on 17.11.2025.

Put up on 11.12.2025 along with the report of the Mediator.

Be taken up in the urgent cause list.

Since the parties, as per their admitted case, have entered into a settlement, this Court deems it appropriate to stay further proceedings before the trial Court till the next date of hearing.”

3. A report has been received from the Mediation & Conciliation Centre of this Court that a compromise has been entered into the rival parties vide compromise/settlement deed dated 17.11.2025 (copy whereof has been appended with the said report.

4. Though the petition in hand was filed for quashing of the FIR in question on merits, during the course of proceedings, the rival parties have entered into a compromise vide compromise/settlement dated 17.11.2025.

5. Learned counsel for respondent No.2 admits the factum of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioner is quashed.

6. Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise/settlement entered between the parties.

7. I have heard learned Counsel for the parties and have carefully gone through the records of the case.

8. This Court and the Hon'ble Apex Court has repeatedly dealt with the issue of exercise of jurisdiction under Section 482 of the Code to quash proceeding in non-compoundable offences in the cases of ***Gian Singh vs. State of Punjab and another, 2012(10) SCC 303, Kulwinder Singh & others vs. State of Punjab & another, 2007 (3) RCR (Criminal) 1052 and***



Ram Gopal and another vs. State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322 (Criminal Appeal No.1489 of 2012 decided on 29th of September, 2021). The proposition of law that emerges from the aforesaid decisions rendered by the Hon'ble Apex Court and this Court is :

- (a) *Power u/s 482 Cr.P.C. vested with this Court is much wider and is unaffected by Section 320 of the Code.*
- (b) *However, wider the power greater the caution.*
- (c) *The underlining principle while exercising such power is that it can be invoked to quash the proceedings recognizing compromise between the parties in the matters which are overwhelmingly and predominantly of civil character like commercial transactions or arising out of matrimonial relationship or family disputes.*
- (d) *The said power is not to be exercised in the prosecutions involving heinous and serious offences of mental depravity or offences like murder, rape, dacoity etc. as such offences are not private in nature and have a serious impact on society.*
- (e) *Section 482 Cr.P.C. casts duty upon the High Court to advance interest of justice as well. It is in recognition of this duty casted upon the High Court, that Apex Court held that the High Court would not refuse to quash FIR under Section 307 merely because FIR finds mention thereof. High Court can assess nature of injuries sustained, whether such injuries inflicted on vital/delicate parts of the body/nature of weapons used etc.*
- (f) *Such exercise at the hands of High Court would be permissible only after the evidence is collected after investigation and chargesheet is filed/charges framed during the trial. Such exercise cannot be carried out while the matter is still under investigation.*
- (g) *While quashing FIR in non-compoundable offences even which are of private in nature, High Court is required to consider antecedents of the accused, conduct of the accused and whether he was absconding or whether he has managed the complainant to enter into a compromise.*

The statutory provision of Section 528 of BNSS, 2023 is same as the statutory provision of Section 482 of Cr.P.C., 1973. Therefore, the



above said principles of law would apply to a petition under Section 528 of BNSS, 2023 as well.

9. Thus, keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that it is a fit case to exercise jurisdiction vested u/s 528 of BNSS, 2023 to quash the FIR as :-

- (i) *Putting a quietus to the proceedings will bring peace and tranquility amongst parties & will accordingly further the cause of substantial justice.*
- (ii) *The offences alleged are primarily of private nature.*
- (iii) *The parties have compromised.*
- (iv) *As per the report received the compromise is said to be voluntary in its nature.*
- (v) *Complainant/victim is reported to have entered into compromise on his own volition*

10. Consequently, the petition is allowed. FIR No.0137 dated 05.08.2023 under Sections 406, 420 of IPC, registered at Police Station Mataur, SAS Nagar Punjab and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 17.11.2025, are, hereby, quashed.

11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

11.12.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No