



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

298

CRM-M-47479-2025  
Date of decision: 28.10.2025

TIRATH SINGH .....Petitioner  
VERSUS

STATE OF PUNJAB AND ANOTHER .....Respondents

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present: - Mr. Kamal Gupta, Advocate and  
Ms. Sejal, Advocate  
for the petitioner.

Mr. Surinderjeet Singh Nahar, AAG, Punjab.

Mr. Eeshan Garg, Advocate for  
Mr. Sanish Girdhar, Advocate  
for respondent No.2.

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**VINOD S. BHARDWAJ, J. (Oral)**

1. The petitioner has approached this Court seeking quashing of FIR No.0055 dated 11.09.2019 under Sections 420, 467, 468, 471, 475 (Sections 467, 475 deleted and Section 473 added, later on) IPC, registered at Police Station Harike, Tarn Taran, and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 20.08.2025 (Annexures P-4 & 5) effected between the parties.

2. Briefly summarized the facts of the case are that the respondent No.2/complainant recorded a statement with the allegations that he is the registered owner of the Bharat Banz canter bearing registration no. PB-02-DQ-7108. On 11.09.2019, he noticed another Bharat Benz canter upon which the number plate of his vehicle had been affixed, while he was present



near the Main Highway, Harike Bath Dhaba. The complainant later came to know that the aforementioned canter was being driven by the petitioner. The complainant also claimed that he had not sent his canter bearing registration no. PB-02-DQ-7108 at Lakhanpur Border on 02.07.2019, in respect of which a challan had been issued. The complainant thus alleged that the petitioner fraudulently used his canter number for his own vehicle by preparing a forged registration certificate and affixing a false number plate, thereby causing wrongful loss to the complainant. On the basis of these allegations, the impugned FIR came to be registered against the petitioner. However, with the intervention of the respectables from both the sides, the matter has been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

3. Pursuant to the order dated 28.08.2025, report has been received from the Judicial Magistrate, 1<sup>st</sup> Class, Patti vide Memo No. 648 dated 23.10.2025. The relevant extract of the report reads thus:-

1. *As per the statement of ASI Sukhdev Singh posted at P.S. Harike, there is total one accused namely Tirath Singh who involved in the present FIR.*
2. *As per the statement of ASI Sukhdev Singh there is only one complainant in the present case.*
3. *All the accused and complainant/victims are party to the compromise and signed the same.*
4. *None of the accused/petitioner is absconding/proclaimed person in the present FIR. No any such proceedings has been initiated or pending*



*against them.*

5. *The compromise is genuine, made voluntarily, without any coercion and undue influence and out of the free will of the parties.*

4. A perusal of the aforesaid report shows that compromise has been effected voluntarily between the parties and is genuine and without coercion or any undue pressure.

5. Learned State counsel has filed the short reply by way of affidavit of Lovkesh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran on behalf of respondent No.1 in the Court today and the same is taken on record and he does not dispute the factum of the compromise amongst the parties and does not have any serious objection to the resolution of the dispute amongst the parties.

6. Mr. Eeshan Garg, Advocate for Mr. Sanish Girdhar, Advocate appears on behalf of respondents No. 2 and reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. The Full Bench of this Court in the matter of “***Kulwinder Singh and others versus State of Punjab and another***” reported as (***Punjab and Haryana High Court***) : 2007 (3) RCR (Criminal) 1052 has been observed as under :

*'(28) To conclude, it can safely be said that there can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 of the Cr.P.C. The only principle that can be laid down is the one which has*



*been incorporated in the Section itself, i.e., "to prevent abuse of the process of any Court" or "to secure the ends of justice".*

*(29) In Mrs. Shakuntala Sawhney v. Mrs. Kaushalya Sawhney and Ors., Hon'ble Krishna Iyer, J. aptly summoned up the essence of compromise in the following words:*

*"The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship of reunion."*

*(30) The power to do complete justice is the very essence of every judicial justice dispensation system. It cannot be diluted by distorted perceptions and is not a slave to anything, except to the caution and circumspection, the standards of which the Court sets before it, in exercise of such plenary and unfettered power inherently vested in it while donning the cloak of compassion to achieve the ends of justice.*

*(31) No embargo, be in the shape of Section 320(9) of the Cr.P.C., or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C.*

*(32) The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Cr.P.C. is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is "finest hour of justice". 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 of the Cr.P.C. 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 such rigid rule to prescribe the exercise of such power, especially in the absence of any premonitions to forecast and predict eventualities which*



*the cause of justice may throw up during the course of a litigation.*

*(33) The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.*

*(34) The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. 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 everlasting 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.*

8. The legal principles as laid down for quashing of the FIR were also approved by the Hon'ble Supreme Court in the matter of 'Gian Singh Versus State of Punjab and another,(2012)10 SCC 303'. Still further, the



broad principles for exercising the powers under Section 482 were summarized by the Hon'ble Supreme Court in the matter of '*Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641'.

9. The Hon'ble Supreme Court has held in the matter of '*Ramgopal And Another Vs State of Madhya Pradesh, 2021 SCC Online SC 834*', that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

10. The following relevant factors emerge from perusal of the case as well as the subsequent developments supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- i) The present dispute arise on the ground that the petitioner had fraudulently used the complainant's canter number for his own vehicle, thereby causing wrongful loss to the complainant.
- ii) A mutual settlement has been reached between the parties and the first party does not want to take any legal action against the second party.
- iii) The offence in question cannot be said to be heinous or as an offence that would be shocking to the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;



iv) Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no longer public purpose and only result in futile expenditure of judicial time.

11. In view of the report of the Judicial Magistrate, 1<sup>st</sup> Class, Patti and the principles laid down by the Apex Court in Gian Singh Vs. State of Punjab and another (2012) 10 SCC 303, as well as Ramgopal And Another Vs State of Madhya Pradesh 2021 SCC Online SC 834 and also by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052, the instant petition is allowed. The aforesaid FIR No.0055 dated 11.09.2019 under Sections 420, 467, 468, 471, 475 (Sections 467, 475 deleted and Section 473 added, later on) IPC, registered at Police Station Harike, Tarn Taran and all other consequential proceedings arising therefrom **are hereby quashed** in view of compromise dated 20.08.2025 (Annexures P-4 & 5). However, the same would be subject to payment of costs of **Rs.10,000/-** to be deposited by the petitioner with the Punjab Chief Minister Relief Fund, Account No.001934001000589, Punjab State Co-op. Bank, IFSC: TPSC0000019, within a period of two months from receipt of certified copy of this order.

12. Petition is allowed.

13. All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)  
JUDGE

OCTOBER 28, 2025  
Vishal Sharma

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