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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:170025



CRM-M-47323-2025 (O&M)

Date of decision: 04.12.2025.

RINKLE

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Mr. Aniket, Advocate,
for the petitioners.

Mr. Onkar Singh Wahla, Sr. DAG, Haryana.

Mr. Mohit, Advocate, for
Mr. B.B.S. Randhawa, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition under Section 528 of the Bharatiya

Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.246 dated

14.08.2025 under Sections 115, 333, 351(2), 79 of the Bharatiya Nyaya

Sanhita, 2023, registered at Police Station Ram Nagar Karnal, District Karnal, along with all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 22.08.2025 (Annexure P-2).

2 Briefly summarized, the facts of the case are that the respondent-complainant, Jiya, had been working with the petitioner for 9 months preceding the incident in question. Since the petitioner had misbehaved on a few earlier occasions, the complainant left her job. However, on the day of the incident, the petitioner abused the complainant and got into a scuffle, where he raised his hand on the complainant and her mother, when no one was at home. The present FIR was then got registered against the petitioner. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition.

3 The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 28.08.2025 of this Court, to get their statements recorded regarding the compromise arrived at between the parties and a report in this regard was called for.

4 Pursuant to the said order, a report has been received from the Judicial Magistrate 1st Class, Karnal, vide Memo No.329 dated 16.10.2025. The relevant extract of the report is reproduced as under:-

- “I. As per statement of investigating officer, the total number of accused person found involved as accused in the FIR is one i.e. Rinkle;*
- II. As per statement of investigating officer, the total number complainant/victim is one i.e. Jiya;*
- III. As per statement of investigating officer, all the accused and complainant/victim are party to the compromise and signed the*

same;

IV. N.A.

V. As per statement of investigating officer, the accused have not been declared proclaimed person in this case or any other case and any such proceedings against him have not been initiated and pending;

VI. As per the statement of both the parties and after questioning them, the undersigned is of a view that the compromise affected between the parties is genuine, voluntary and without any coercion or undue influence of the parties;

VII. N.A.”

5 Reply already filed on behalf of the respondent-State is taken on record. Learned State counsel 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 Learned counsel for respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7 The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) 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'. The relevant paragraphs are extracted as under:

“16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. *The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is noncompoundable.*

16.3. *In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.*

16.4. *While the inherent power of the High Court has a wide ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.*

16.5. *The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.*

16.6. *In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.*

16.7. *As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant*

element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent power to quash is concerned.

16.8. Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.

16.9. In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and

16.10. There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”

8 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.

9 It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings likely to be a waste of judicial time and there appears to be no chances of conviction.

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 BNSS:-

(i) The incident pertains to a minor scuffle that took place between the petitioner and the complainant and her mother at the complainant's home.

(ii) The petitioner is in his 30s and continued criminal proceedings would have serious repercussions on the discharge of his social obligations as well as his career.

(iii) The case is still at the initial stage as the FIR was registered in August 2025.

(iv) 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;

11 In view of the report of the Judicial Magistrate 1st Class, Karnal and the principles laid down by the Apex Court in '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641', the instant petition is allowed. FIR No.246 dated 14.08.2025 under Sections 115, 333, 351(2), 79 of the Bharatiya

Nyaya Sanhita, 2023, registered at Police Station Ram Nagar Karnal, District Karnal, along with all subsequent proceedings arising therefrom, are hereby quashed on the basis of compromise/affidavit dated 22.08.2025 (Annexure P-2) entered between the parties. However, the same would be subject to payment of costs of Rs.10,000/- to be deposited by the petitioner with DHFWS SKS USERFEES CS OFFICE Panchkula, Account No.50100189689492, IFSC Code HDFC0004832, HDFC Bank, Sector 6, Panchkula, within two months from receipt of certified copy of this order.

12 Petition is allowed in above terms.

December 04, 2025.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No