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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:149590



CRM-M-47833-2025 (O&M)

Date of decision: 30.10.2025.

AMARJEET SINGH AND ANOTHER

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Mr. Kushager Goyal, Advocate,
for the petitioners.

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

Mr. Himansh Setia, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition filed by the petitioner(s) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for seeking quashing of FIR No.275 dated 07.11.2023, under Section(s) 323, 325, 506/34 of the Indian Penal Code, 1860 (Sections 332, 333 and 353 of the

IPC added later on), registered at Police Station Ding, District Sirsa, Haryana, (Annexure P-1) along with all the subsequent proceedings arising therefrom on the basis of compromise dated 21.08.2025 (Annexure P-2).

2 As per the allegations the petitioners abused the complainant and told him not to run the tubewell due to which a scuffle took place between them resulting in injuries to the complainant on his hand.

3 The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 29.08.2025 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, report has been received from the Judicial Magistrate First Class, Sirsa, vide Memo No.1039 dated 18.10.2025. The relevant extract of the report is reproduced as under:-

“In compliance of order dated 29.08.2025 passed by Hon'ble Punjab and Haryana High Court, the information is furnished as under:-

1. It is respectfully submitted that present FIR was lodged against Amarjeet Singh and Tarsem Singh. Statement of IO/PSI Gagandeep Singh has been recorded to this effect.

2. It is respectfully submitted that there is only one complainant namely Ranjeet Singh in the present case. His statement in support of compromise has been recorded.

3. It is respectfully submitted that statements of both the accused persons and the complainant have been recorded in the support of compromise.

4. It is respectfully submitted that there is no affected person who is left out or not arrayed in the quashing petition before Hon'ble High Court.

5. It is respectfully submitted that neither any accused has

been declared proclaimed person/proclaimed offender nor any proclamation proceedings are pending against any of the accused persons. Statement of IO/PSI Gagandeep has also been recorded to this effect.

6. *It is respectfully submitted that as per the statements of the complainant and accused, the compromise so arrived between the parties is genuine, voluntary and without any coercion or undue influence.”*

5 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 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 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 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.”

8 The legal principles as laid down for quashing of the judgment 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'**.

Furthermore, 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 BNSS:-

(i) The dispute is the result of a sudden scuffle between the complainant and the petitioners'

(ii) The petitioners are aged about 33 years and 58 years and continuation of criminal proceedings will cause severe repercussions to the petitioners in discharge of their social obligations as well as in their workplace;

(iii) The case is still at the initial stage as the FIR was registered in June 2023; and

(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 concerned Judicial Magistrate First Class, and the principles laid down by the Apex Court in **Gian Singh Vs. State of Punjab and others (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 along with all other consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of compromise dated 21.08.2025 (Annexure P-2) entered between the parties.

However, the same would be subject to payment of costs of Rs.10,000/- each to be deposited by the petitioner(s) with the Red Cross Old Age Home, Account No.50100286016319, IFSC-HDFC0004030, HDFC Bank, Sector 15, Panchkula, within two months from receipt of certified copy of this order.

12 Petition is allowed.

October 30, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No