



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

290

CRM-M-49586-2025
Date of decision: 03.11.2025

GIAN SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - Mr. D.S. Saini, Advocate and
Mr. R.S. Sohi, Advocate
for the petitioners.

Mr. Surinderjeet Singh Nahar, AAG, Punjab.

Mr. Randhir Singh, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR bearing No. 89 dated 04.07.2021 under Sections 323, 341, 427, 506, 148, 149, 201 of the Indian Penal Code, 1860 registered at Police Station Nurpur Bedi, District Rupnagar along with all subsequent proceedings arising therefrom on the basis of compromise dated 25.05.2025 (Annexure P-2).

2. Learned counsel for the petitioners submits that the present FIR was registered on the complaint of Dilbagh Singh, son of Jeevan Singh, Sanpach of Village Sangatpur, Police Station Nurpur Bedi, District

Rupnagar, arising out of a dispute concerning the annual auction of Panchayat land measuring about one and a half kanals. The said land, earlier leased to Gyan Singh for two years, was re-auctioned after public notice, wherein Dilbagh Singh, along with Bhag Singh and Mukhwant Singh, became the highest bidders. It is alleged that when the complainant began cultivation, Gyan Singh and his son Tarlochan Singh arrived on a tractor, attempted to run him over, and assaulted him with iron pipes, causing injuries. Soon thereafter, several associates of the accused joined in and allegedly assaulted the complainant, his brother Avtar Singh, and nephew Meva Singh, inflicting multiple injuries. During the incident, Gyan Singh's wife, Balveer Kaur, is said to have incited the attackers, while the complainant's purse containing ₹22,000 and a mobile phone belonging to one Seva Singh were allegedly misappropriated or damaged. The injured were rescued by villagers and taken to hospital, where the complainant's statement was recorded, and the present FIR was registered. 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 05.09.2025, report has been received from the Judicial Magistrate 1st Class, Sri Anandpur Sahib vide Memo No. 121 dated 28.10.2025. The relevant extract of the report reads thus:-

"I. As per statement of Investigating Officer, there are total seven persons namely Gian Singh, Tarlochan Singh, Balvir Kaur, Manjinder Singh @ Maninder Singh, Amrik Singh, Bakshish Singh @ Shish and Falwinder Singh @

Fhulwinder Singh @ Gagu found involved as accused in the dispute/FIR;

II. As per statement of Investigating Officer, there are three complainants/victims namely Dilbag Singh, Avtar Singh and Meva Singh;

III. All the accused and complainants/victims are party to compromise and have signed the same;

IV. No affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before the High Court.

V. No accused has been declared as a proclaimed offender/person and no such proceedings against him/her have been initiated or pending adjudication in the present FIR and also in the other FIRS mentioned below at Point VII.

VI. The compromise is genuine, voluntary, and without any coercion or undue influence;

VII. It is further submitted that as per statement of Investigating Officer, the other FIRs that have been lodged against the accused Gian Singh, Tarlochan Singh and Balvir Kaur are as under:-

(A) FIR No.40/2024, u/s 323, 325, 341, 506, 34, 201 of IPC, PS Nurpur Bedi, District Rupnagar.

(B) DDR No.18 dated 08.06.2024, u/s 323, 341, 506, 148, 149 of IPC, PS Nurpur Bedi, District Rupnagar.

(C) FIR No.41 dated 10.06.2024, u/s 186, 353, 506, 34 of IPC, PS Nurpur Bedi, District Rupnagar.”

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 status report by way of affidavit of Jashandeep Singh Mann, PPS, Deputy Superintendent of Police, Sri Anandpur Sahib, District Rupnagar, Punjab on behalf of respondent-State in the Court today and the same is take 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. Randhir Singh, Advocate appears on behalf of respondents No. 2 to 4 and reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed.

7. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure 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' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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 non-compoundable.

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 '**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. 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:-

- a. The present dispute arises from an allegation that the petitioners assaulted the complainant and others in connection with a dispute over the ploughing of Panchayat land that had been leased to the complainant.
- b. 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.
- c. 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;
- d. 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.

10. In view of the report submitted by the Judicial Magistrate First Class, Sri Anandpur Sahib, and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR bearing No.89 dated 04.07.2021 under Sections 323, 341, 427, 506, 148, 149, 201 of the Indian Penal Code, 1860 registered at Police Station Nurpur Bedi, District Rupnagar and all other consequential proceedings arising therefrom **are hereby quashed** in view of compromise (Annexure P-2). However, the same would be subject to payment of costs of **Rs.5,000/-** to be deposited by each of the petitioners 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.

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 03, 2025

Vishal Sharma

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