



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

315

**CRM-M-49797-2025 (O&M)
Date of Decision: 17.11.2025**

GURPREET SINGH AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Kamil Nagpal, Advocate for the petitioners.

Ms. Alisha Soni, AAG, Punjab.

Mr. Utkarsh Sharma, Advocate for respondent No.2.

RUPINDERJIT CHAHAL, J (ORAL)

1. This is a petition filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for quashing of FIR No.87 dated 15.10.2022 registered under Sections 307, 323, 34 IPC at P.S. Arifke, District Ferozepur (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise deed dated 30.08.2025 (Annexure P-2).

2. This Court vide order dated 08.09.2025 had directed the parties to appear before the Illaqa/Duty Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the Judicial Magistrate Ist Class, Ferozepur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 03.10.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.



wherein the family members of petitioner No.1-husband has also been roped in. The parties have resolved the dispute amicably and have decided to move ahead in their lives.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. Hon'ble Apex Court and this 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 v. State of Punjab and another, 2012(10) SCC 303, Kulwinder Singh & others v. State of Punjab & another, 2007 (3) RCR (Criminal) 1052 and Ram Gopal and another v. State of Madhya Pradesh, 2021(4) RCR (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.

8. Following the above-mentioned principles the present petition is allowed and FIR No.87 dated 15.10.2022 registered under Sections 307, 323, 34 IPC at P.S. Arifke, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 30.08.2025 (Annexure P-2) are quashed.

9. Pending miscellaneous application(s), if any, stand(s) disposed of, accordingly.

17.11.2025

Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

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