



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

286

CRM-M-50047-2025
Date of decision: 10.11.2025

LOVEPREET SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - Mr. Prateek Pandit, Advocate
for the petitioners.

Ms. Savi Nagpal, Asst. A.G. Punjab.

Mr. Aman Kumar, 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. 48 dated 21.03.2025 under Sections 115(2), 324(4), 333, 191(3), 190 of BNS, 2023 registered at Police Station Sultanpur Lodhi, District Kapurthala along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2025 (Annexure P-2).

2. Learned counsel for the petitioners submits that the present FIR was registered on the complaint of Kulwant Kaur W/o Gurdial Singh resident of Farid Sarai, Police Station Sultanpur Lodhi, District Kapurthala.

The allegations are that on 08.03.2025, Complainant-Kulwant Kaur who

works as a Labourer went to Tarsem Singh (Contractor) to pay her for her labour work, then Tarsem Singh angrily started abusing her and thereafter the petitioners armed with their weapons went to the house of the complainant and gave several beatings and injuries to her. 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 08.09.2025, report has been received from the Sub Divisional Judicial Magistrate, Sultanpur Lodhi vide Memo No. 640 dated 09.10.2025. The relevant extract of the report reads thus:-

<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
<i>No. 48</i>	<i>21.03.2025</i>	<i>Sultanpur Lodhi, Kapurthala</i>	<i>Under Sections 115(2), 324(4), 333, 191(3), 190 of BNS, 2023</i>

<i>1.</i>	<i>Total number of persons found involved as accused in the dispute/FIR;</i>	<i>As per statement of ASI Subeg Singh there are eight persons found involved as accused namely Lovepreet Singh, Ramanpreet, Tarsem Singh, Jowan, Pawan, Kuldeep Singh, Bovy and Surjit Kaur in the dispute/FIR.</i>
<i>2.</i>	<i>Number of complainant/victim(s);</i>	<i>As per statement of ASI Subeg Singh there is one complainant namely Kulwant Kaur and one victim namely Gaurav Sahota.</i>
<i>3.</i>	<i>Whether all the accused and</i>	<i>Yes, all the accused and</i>

	<i>complainant / victims are party to compromise & signed the same;</i>	<i>complainant/victims are party to compromise recorded their statements.</i>
4.	<i>In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;</i>	<i>As per record all the accused and complainant are arrayed as party in the quashing petition before Hon'ble High Court.</i>
5.	<i>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;</i>	<i>As per statement of ASI Subeg Singh accused have not been declared as a Proclaimed Offender/person or no any such proceedings against them have been initiated or pending adjudication.</i>
6.	<i>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;</i>	<i>From the statements of the parties it transpires that the compromise is genuine, voluntary and without any coercion or undue influence.</i>
7.	<i>Any other aspect relevant to the present case.</i>	<i>All the above mentioned points covered all the relevant aspects in the present case.</i>

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 an affidavit of Dheerendra Verma, IPS, Asstt. Superintendent of Police, Sub-Division Sultanpur Lodhi, Punjab 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. Aman Kumar, Advocate appears on behalf of respondents No. 2 to 4 and reiterates the settlement and his concurrence to the FIR and all 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. Reliance is also placed on **Shakuntala Sawhney versus Kaushalaya Sawhney and others (1980) 1 SCC 63**, Hon'ble Justice

Krishna Iyer aptly summed 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 or reunion”

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:-

- a. The FIR in the present case has been registered on the basis of the allegations levelled by the complainant/respondent No.2 that the petitioners armed with their weapons attacked on her and gave several beatings and injuries to her. The injuries are simple in nature and arose from a money transaction.
- b. The offences are private in nature and 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. The case is still at initial stages.
- 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 larger public purpose and only result in futile waste of judicial time and resources.

11. Therefore, in view of the report submitted by the Sub Divisional Judicial Magistrate, Sultanpur Lodhi 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. 48 dated 21.03.2025 under Sections 115(2), 324(4), 333, 191(3), 190 of BNS, 2023 registered at Police Station Sultanpur Lodhi, District Kapurthala and all other consequential proceedings arising therefrom **are hereby quashed** in view of compromise dated 16.07.2025 (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 *Red Cross Old Age Home, , A/c No.50100286016319, IFS Code HDFC0004030, HDFC Bank, Sector 15, Panchkula* within a period of two months from receipt of certified copy of this order.

Petition is allowed.

(VINOD S. BHARDWAJ)

NOVEMBER 10, 2025

JUDGE

Vishal Sharma

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