



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

244

CRM-M-3099-2026

LAKHVEER SINGH @ LAKHVIR SINGH @ LAKHU & ORS.

....PETITIONERS

V/s

STATE OF PUNJAB & ANR

....RESPONDENTS

Date of decision: 06.03.2026

Date of Uploading: 06.03.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Deepdaman Mann, Advocate for
Mr. K.S. Brar, Advocate for the petitioners.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

Mr. Deepak Arya, Advocate for respondent No.2.

SUMEET GOEL, J.

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.0222 dated 06.09.2025 under Sections 312, 125, 111, 62, 3(5) of BNS and Sections 25 & 27 of Arms Act, 1959 registered at Police Station Canal Colony Bathinda, District Bathinda and all consequential proceedings arising therefrom on the basis of compromise dated 29.09.2025 (Annexure P-2), which is stated to have been effected between the parties.

2. On 21.01.2026, the following order was passed:

“Prayer in this petition, filed under Section 528 of BNSS, is for quashing of FIR No.0222 dated 06.09.2025, under Sections 312, 125, 111, 62, 3(5) of BNS, 2023 and Sections 25 & 27 of Arms Act, 1959, Police Station Canal Colony Bathinda, District Bathinda, (Annexure P-1), alongwith all



the subsequent proceedings arising therefrom, on the basis of compromise dated 29.09.2025 (Annexure P-2).

Notice of motion.

Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with.

Mr. Deepak Arya, Advocate puts in appearance on behalf of respondent No.2 and files Power of Attorney. The same be taken on record.

To verify the claim of the petitioner that the compromise has been entered into voluntarily, and that it is genuine, it shall be appropriate that a report from the learned trial Court is obtained. Hence, the parties are directed to appear before the learned trial Court on 17.02.2026, for getting their statements recorded with regard to compromise. The learned trial Court concerned shall submit a report on or before the next date of hearing to this Court, specifying the followings:-

- 1. Number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. Name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. Number of accused prosecuted by the police;*
- 4. Stage of trial/proceedings;*
- 5. If the compromise is genuine, voluntary and out of free will of the parties.*

In case, the learned trial Court is not available or there is a holiday on the given date, the statement would be recorded by the Duty Magistrate.

Accordingly, report of learned trial concerned Court/Duty Magistrate be awaited for 06.03.2026.”

3. Pursuant to the aforesaid order, report dated 23.02.2026 from Additional Sessions Judge, Bathinda has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

“1.) Number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/PO in the case.

As per the trial record and statements of complainant and eye-witness, there were three accused in the incident and all these three accused have been challaned by the police and they are facing trial before this court.

2) Name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise.

The name of injured is Naresh Kumar son of Satpal, resident of 3/3, Baba Deep Singh Nagar, Bathinda, and he acknowledged the amicable settlement of dispute between the parties as per compromise deed (exhibit-C1). The matter regarding compromise is also acknowledged by the eye-witness, Harjit Singh son of Gurdev Singh, resident of Street no.4/1, Baba Deep Singh Nagar, Bathinda.

3) Number of accused prosecuted by the police.

The police booked and challaned all the three accused namely Lakhvir Singh @ Lakhu, Bhupinder Singh @ Billa and Vikramjit Singh @ Vikram.

4) Stage of trial/proceedings.



The trial titled as State v. Lakhvir Singh @ Lakhu & others, SC/387/2025, is at the stage of prosecution evidence.

5) If the compromise is genuine, voluntary and out of free will of the parties.

In the light of statements of the parties, this court is satisfied that the compromise deed (exhibit-C1) was executed among complainant and accused persons, being voluntary and result of free will.”

4. Learned counsel for respondent No.2 admits the fact of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioners are quashed.

5. Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise (Annexure P-2).

6. I have heard learned Counsel for the parties and have carefully gone through the records of the case.

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

The statutory provision of Section 528 of BNSS, 2023 is same as the statutory provision of Section 482 of Cr.P.C., 1973. Therefore, the above said principles of law would apply to a petition under Section 528 of BNSS, 2023 as well.



8. Thus, keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that it is a fit case to exercise jurisdiction vested u/s 528 of BNSS,2023 to quash the FIR as :-

- (i) *Putting a quietus to the proceedings will bring peace and tranquility amongst parties & will accordingly further the cause of substantial justice.*
- (ii) *The offences alleged are primarily of private nature.*
- (iii) *The parties have compromised.*
- (iv) *As per the report received the compromise is said to be voluntary in its nature.*
- (v) *Complainant/victim is reported to have entered into compromise on his own volition.*

9. Consequently, the petition is allowed. FIR No.0222 dated 06.09.2025 under Sections 312, 125, 111, 62, 3(5) of BNS and Sections 25 & 27 of Arms Act, 1959 registered at Police Station Canal Colony Bathinda, District Bathinda and all consequential proceedings arising therefrom on the basis of compromise dated 29.09.2025 (Annexure P-2), are, hereby, quashed.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

06.03.2026

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No