

2026:PHHC:067391



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

264

CRM-M-3462-2026

Date of decision: 30.04.2026

PAWAN

... Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

... Respondents

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

Present: - Mr. Vipul Kansal, Advocate
for the petitioner.

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

Mr. Devender Kaliraman, Advocate
for respondent No.2.

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 No.626 dated 25.10.2019
under Sections 279 and 337 of IPC, 1860 registered at Police Station Jind City,
District Jind along with all subsequent proceedings arising therefrom on the basis of
compromise dated 17.01.2026 (Annexure P-2).

2. The facts of the present case, in brief, are that the aforesaid FIR was
registered on the complaint lodged by Balbir. As per the allegations levelled in the
complaint, on 19.10.2019 at about 09:30 PM, the complainant was proceeding
towards the police check post situated on Rohtak Road from the side of the minor
canal (Rajwaha), Rohtak Road. It was alleged that when he reached near the office

of Skylock on Rohtak Road, a motorcycle bearing registration No. HR-16S-1465, being driven by an unknown person at a high speed and in a rash and negligent manner, came from the side of the police check post and directly struck against him. Owing to the impact of the collision, the complainant fell upon the road and sustained injuries on his leg, ear, head and foot, besides suffering internal injuries. The complainant further stated that he had managed to notice the driver of the offending motorcycle and had also noted down the registration number of the said vehicle. It was further alleged that one Subhash Chander reached the spot and, after arranging a private vehicle, shifted the complainant to the Government Hospital, Jind for treatment. Thereafter, after providing first aid, the doctors referred the complainant to PGIMS, Rohtak, where he subsequently underwent medical treatment.

3. It is however averred that with the intervention of the respectable persons of both sides, the matter has now been settled and resolved amicably. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

4. Pursuant to the order dated 22.01.2026, a report has been received from the Chief Judicial Magistrate, Jind vide Memo No.172 dated 12.03.2026. The relevant extract of the report reads thus:-

“I have the honour to submit that in compliance of order dated 22.01.2026 passed by Hon'ble High Court in CRM-M-3462-2026 in case titled 'Pawan Vs State of Haryana and another', the separate statements of the complainant, accused person and I.O. recorded.

In compliance of aforesaid order as well as after perusing the statements of parties as well as I.O, the requisite information are as under:

(i) Total number of persons found involved as accused in the dispute/FIR.

As per statement of I.O, there was only one person found involved

in the present case.

(ii) Number of complainant/victim (s).

As per statement of I.O, there is only one complainant/victim in the present case.

(iii) Whether all the accused and complainant/victim(s) are party to the compromise and signed the same.

Yes, as per their statements, accused and complainant/victim are party to the compromise and signed the same.

(iv) 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;

Ans. None left.

(v) Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication.

Ans. As per statement of I.O, accused has not been declared as proclaimed offender in the present case.

(vi) Whether the compromise is genuine, voluntary and without any coercion or undue influence?

Ans: The compromise effected between the parties is genuine and voluntary and without any coercion or undue pressure and influence as per their statements.

(vii) Whether the petitioner/accused is involved in any other case.

As per statement of I.O, except present case, no other case is registered against the accused.

The parties have been duly identified by their counsel. Original statements suffered by the complainant and accused as desired by Hon'ble High Court and statement of L.O./ASI Jitender, No.272/J, Police Station City Jind are annexed herewith."

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 also reiterates the settlement and his concurrence to the quashing of the FIR alongwith all the other consequential proceedings.

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. On consideration of the above, the following relevant factors emerge

for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report of the Chief Judicial Magistrate Jind that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. The occurrence in question arose out of a road accident and does not disclose any element of premeditation, intentional violence or criminal design, the allegations being essentially attributable to rash and negligent driving.
- c. It is submitted that the occurrence in question arose out of a road accident and does not disclose any element of premeditation, intentional violence or criminal design, the allegations being essentially attributable to rash and negligent driving.
- d. Petitioner is 27 years of age and continued incarceration in a criminal case will cause severe repercussions to him in discharge of his social obligation as well as at his work place and may adversely impact career.
- e. The FIR in question pertains to the year 2019, however, the trial is still at an initial stage since the same is pending for prosecution evidence for 15.05.2026. Putting an end to the proceedings will bring peace and tranquility among parties.
- f. Continuation of criminal proceedings despite the settlement would serve no fruitful or meaningful purpose and would merely result in unnecessary harassment to the parties and wastage of valuable judicial time.

- g. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of society. It can also not be termed as one shocking to the conscience of the Court;
- h. The occurrence was isolated in nature and there is nothing on record to indicate that the petitioner is a habitual offender or has any criminal antecedents.
- i. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only amount to wastage of precious judicial time.

9. In view of the report submitted by the Chief Judicial Magistrate, Jind and having regard to the settled principles laid down by Hon ble the Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No.626 dated 25.10.2019 under Sections 279 and 337 of IPC, 1860 registered at Police Station Jind City, District Jind and all other consequential proceedings arising therefrom **are hereby quashed qua the petitioner** in view of the compromise dated 17.01.2026 (Annexure P-2). However, the same would be subject to payment of costs of **Rs.5,000/-** to be deposited by the petitioner with the ***District Legal Services Authority, Jind*** within a period of one month of the receipt of certified copy of this order.

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 30, 2026.

Vishal Sharma

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