



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

258

CRM-M-3611-2026(O&M)

Date of decision: 13.05.2026

Jagmeet Singh Dhaliwal

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Harjot Goyal, Advocate for
Mr. Inderjit Singh, Advocate for the petitioner.

Ms. Alisha Soni, AAG, Punjab.

Mr. Damanjit Singh Sandhu, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition filed by the petitioner(s) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for seeking quashing of FIR bearing No.223 dated 09.12.2025, under Section(s) 125, and 324(4) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station City Sangrur, District Sangrur, along with all the subsequent proceedings arising therefrom on the basis of compromise dated 13.01.2026 (Annexure P-2).

2. The aforesaid FIR was registered on the complaint of Ashwani Kumar son of Birbal Dass resident of Quarter No.159, Housing Board Colony, Nabha Gate, Sangrur, relevant part of which is extracted as under:-

“...I run an office under the name M.S. Collection Agency located near Classic Hotel, above the gate of Time Tower Colony, Sangrur. On 08.12.2025 at approximately 5:00 PM, I had securely closed my office and left. When I arrived at the

office the next morning at around 7:00 AM, I observed that one of the alleys in my store had been disturbed/damaged. When I inspected the store, I found that the inner glass was also broken. Upon a thorough examination, I recovered a bullet from inside the shop, which is currently in my possession. It is therefore clear that last night, at Classic Hotel, Sangrur, some unknown person(s) fired at my shop, causing financial loss to me. It is often observed that during parties or other events at Classic Hotel, many people engage in firing and similar activities. The financial loss to my shop occurred as a result of such incidents at Classic Hotel, Sangrur. Complete information regarding the matter can be obtained from the CCTV cameras installed there. It is pertinent to mention that my office sometimes remains open until late at night and at times I am present in the office such firing could have caused or could cause loss of life, either to me or to anyone else.”

3. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition. The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 23.01.2026 of this Court, to get their statements recorded regarding the compromise arrived at between the parties and a report in this regard was called for.

4. Pursuant to the said order, cost has been deposited and receipt thereof is taken on record. A report has also been received from the Chief Judicial Magistrate, Sangrur, vide Memo No.103 dated 20.03.2026. The relevant extract of the report is reproduced as under:-

“As per record submitted by the IO and as per the statements of the parties:-

(i) In the present FIR, only one accused namely Jagmeet Singh

Dhaliwal @ Babbu son of Gurbachan Singh, R/o House No.610, Ward No.1, Preet Nagar, Sangrur is arrayed in the present FIR. He appeared in the Court and made his statement in support of the compromise so effected between the parties. No other accused person is involved in the present case FIR.

(ii) There is only one victim/complainant in the present case namely Ashwani Kumar. He appeared in the Court and made his statement in support of the compromise so effected between the parties.

(iii) From the statement of investigating officer HC Gurdeep Singh and as per the record available on file, the victim/complainant Ashwani Kumar and the accused Jagmeet Singh Dhaliwal alias Babbu are party to the compromise in question.

(iv) From the record, there is no other person left out arrayed as party in the quashing petition filed before the Hon'ble Punjab and Haryana High Court, Chandigarh.

(V) As per the statement of IO and accused persons, the accused Jagmeet Singh Dhaliwal alias Babbu has not been declared as proclaimed offender and no such proceedings against him has been initiated or pending by the Court.

(vi) As per the statements of parties, it appears that the compromise has been effected between the complainant and the accused, same is genuine, voluntary and without any coercion or undue influence

(vii) As per the record, no other aspect is relevant to the present.”

5. Reply dated 06.05.2026 by way of an affidavit of Sukhdev Singh, PPS, Deputy Superintendent of Police, Sub Division, Sangrur has already been filed on behalf of the respondent/State. The same is taken on record. 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 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. The Hon'ble Supreme Court in the case of ***Yogendra Yadav & Others v. State of Jharkhand & Another*** reported as ***(2014) 9 SCC 653*** has held that although non-compoundable offences under Section 320 Cr.P.C. cannot be formally compounded, the High Court can still quash such criminal proceedings in appropriate cases by exercising its inherent powers under Section 482 Cr.P.C., if the parties have genuinely and voluntarily settled their dispute. The Court has held that this power must be exercised on a case-to-case basis. Serious and heinous offences affecting society at large, such as rape or murder, cannot be quashed on the basis of compromise. However, where the dispute is purely personal, does not affect public peace, the victim has no objection, and continuation of proceedings would serve no useful purpose, the High Court may quash the case to secure the ends of justice and avoid unnecessary waste of judicial time. The relevant extract thereof reads as thus :

“4. Now, the question before this Court is whether this Court can compound the offences under Sections 326 and 307 of the IPC which are non-compoundable. Needless to say that offences

which are non-compoundable cannot be compounded by the court. Courts draw the power of compounding offences from Section 320 of the Code. The said provision has to be strictly followed (Gian Singh v. State of Punjab, 2012(4) RCR (Criminal) 543 : 2012(4) Recent Apex Judgments (R.A.J.) 549 : (2012)10 SCC 303). However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable. In which cases the High Court can exercise its discretion to quash the proceedings will depend on facts and circumstances of each case. Offences which involve moral turpitude, grave offences like rape, murder etc. cannot be effaced by quashing the proceedings because that will have harmful effect on the society. Such offences cannot be said to be restricted to two individuals or two groups. If such offences are quashed, it may send wrong signal to the society. However, when the High Court is convinced that the offences are entirely personal in nature and, therefore, do not affect public peace or tranquillity and where it feels that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice, it should not hesitate to quash them. In such cases, the prosecution becomes a lame prosecution. Pursuing such a lame prosecution would be waste of time and energy. That will also unsettle the compromise and obstruct restoration of peace.”

8. In the matter of **BS Joshi v State of Haryana, 2003 (2) RCR (Criminal) 888**, Hon’ble Supreme Court observed that for the purpose of securing the ends of justice, quashing of FIR on the basis of compromise in non compoundable offence is permissible.

9. 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:-

- (i) The dispute in the present case arose when the damage was caused to the complainant's shop due to firing of gunshots by the petitioner near Classic Hotel, Sangrur. The said incident resulted in financial loss and raised concerns regarding safety and threat to life of the complainant.
- (ii) Petitioner is a person aged about 37 years and continuation of criminal proceedings would hamper his prospects and affect the discharge of his family and social obligations.
- (iii) Significantly, the parties have amicably resolved their disputes and entered into a compromise of their own free will, with the intervention of respectable members of the society.
- (iv) In view of the compromise so arrived at, the likelihood of the complainant supporting the prosecution case is remote and the probability of securing a conviction is also bleak.
- (v) The continuation of criminal proceedings would serve no larger public purpose and would only result in unnecessary harassment of the parties and futile expenditure of valuable judicial time.
- (vi) The offences alleged cannot be characterized as heinous or of such gravity as to shock the conscience of society at large or of this Court.

(vii) In the totality of the circumstances, the continuation of the FIR and all proceedings emanating therefrom would amount to an abuse of the process of law and the ends of justice would be better served by quashing the same in view of the compromise effected between the parties.”

9. In view of the report of the Chief Judicial Magistrate, Sangrur and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The FIR bearing No.223 dated 09.12.2025, under Section(s) 125, and 324(4) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station City Sangrur, District Sangrur, along with all the subsequent proceedings arising therefrom is hereby quashed in view of the compromise dated 13.01.2026 (Annexure P-2).

10. Petition is **allowed** in the above terms.

13.05.2026

SumitGusain

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No