



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

234

CRM-M-5244-2026(O&M)

Date of decision: 13.03.2026

Mandeep Singh and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- None for the petitioners.

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

None for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.265 dated 26.09.2025 (Annexure P-1) registered under Sections 118(1), 118(2), 115(2), 191(3), 190 and 238 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Dinanagar, District Gurdaspur along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.01.2026 (Annexure P-2).

2. The FIR in the present case has been registered on the statement of Deepak Kumar, son of Kasturi Lal, resident of Ranjit Bagh, Dinanagar, District Gurdaspur, the relevant part of which reads as under:-

“Statement of Deepak Kumar, son of Kasturi Lal, resident of Ranjit Bagh, police station Dinanagar, age about 44 years, Mo No: 7901905951. Stated that I am a resident of the above address and have been working at West Fuel Center (Petrol Pump) Paniar for the past 1.5 years to fill oil in vehicles. On 22.09.2025, I was standing at the said petrol pump to fill oil in my vehicle as usual. It must have been around 11:30 PM when a gentleman came on a bullet motorcycle with a yellow turan on

his head. He asked me to fill oil in my motorcycle and I told him that it is not simple oil, it is expensive power oil. If you ask, I will fill it. He started arguing with me because of this. He told me that he will fill the power oil but he pay me for simple oil only. I told him that I cannot fill the fuel like this, so he started abusing me and said that you do not know me. My name is Ladi and he started fighting with me. During the fighting, his turban fell from his head. He started calling someone from his mobile phone and After some time, a car bearing the number PB 10 CC 6399 came and 4-5 people came with dattars and hockeys in their hands. I looked at them and ran out of the pump towards the highway. These people caught me on the divider of the highway and one of them hit me three times with his dattar which hit my right wrist, the back of my right hand and between my thumb. In this, the said Lada snatched the hockey from one of them and hit me twice with the hockey, which hit my left eye and tooth and hit my right leg. I raised hue and cry on which people gathering the gathered there, all the accused ran away from the place of occurrence on their respective vehicles and fled towards Gurdaspur. Dalbir son of Kasmir Masih, resident of Sahowal, who had filled the petrol pump with me, called the owner of the petrol pump, Rakesh Kumar son of Sardari Lal, resident of Gurdaspur, who reached the spot after a while. He put me in his car and took me to the Civil Hospital, Gurdaspur, where I am undergoing treatment. The above-mentioned accused and unknown persons have injured me without any reason by beating me. Legal action should be taken against all these above-mentioned persons.”

3. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition.

4 The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 11.02.2026 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.

5 Pursuant to the said order, a report has been received from Judicial Magistrate First Class, Gurdaspur, vide Memo No.141 dated 20.02.2026. The relevant extract of the report is reproduced as under: -

“Further, I have also examined the parties in person and my report on the points as requisitioned is as follows:

(1) Total four persons i.e. Mandeep Singh son of Balwant Singh and Anmolpreet Singh son of Kuldeep Singh, Lakhbir Singh @ Laddi @ Ladda son of Baldev Singh all residents of village Gandian, Dinanagar & Mukesh Kumar @ Pappu son of Amarjit Singh resident of Hardochanni, District Gurdaspur have been arrayed as accused in the present FIR and one person namely Deepak Kumar son of Kasturi Lal resident of Ranjit Bagh, Police Station Dinanagar, District Gurdaspur is the victim in the present FIR.

(2) As per the statement of the IO, no accused is proclaimed offender.

(3) As per the statement of the parties recorded in the Court, the compromise, so arrived at between the parties, is genuine, voluntarily and out of free will.

(4) As per statements of IO, four other FIRs are pending against accused Lakhbir Singh @ Laddi @ Ladda and one FIR is also pending against accused Mukesh Kumar @ Pappu.

(5) The compromise is complete.

(6) As per statement of IO, no has been enhanced after registration of the FIR.”

6. 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.

7. Hon'ble Supreme Court in the matter of '**Narinder Singh and others v. State of Punjab and another**', reported as **(2014) 6 SCC 466**, laid down the following principles for invocation of powers under Section 482 CrPC:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity

or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to

whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.

29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the

trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.”

8. 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 BNSS:-

- i. The dispute giving rise to the FIR is purely personal and private in nature, emanating from a verbal quarrel/disagreement regarding the amount to be paid for premium fuel.
- ii. The parties have amicably resolved their dispute, and the compromise has been entered into voluntarily, without any coercion, pressure, or undue influence.
- iii. Petitioner No. 2 is in his late teens, standing at the threshold of his adult life. Subjecting him to prolonged criminal prosecution would have a disproportionate and irreversible adverse impact on his future, education, and prospects.
- iv. Petitioners No. 1, 3 and 4 are in their forties, respectively. Continuation of criminal proceedings against them would serve no reformatory or deterrent purpose, but only prolong unnecessary litigation.
- v. The offence(s) alleged can neither be characterised as heinous or of such gravity as to shock the collective conscience of society, nor do they partake the nature of offences that would shock the conscience of the Court.
- vi. Permitting the prosecution to continue, despite the settlement,

would result in abuse of the process of law and unnecessary wastage of valuable judicial time.

9. In view of the report of the Judicial Magistrate First Class, Gurdaspur and the principles laid down by the Apex Court in '*Narinder Singh and others v. State of Punjab and another*', the instant petition is allowed. FIR No.265 dated 26.09.2025 (Annexure P-1) registered under Sections 118(1), 118(2), 115(2), 191(3), 190 and 238 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Dinanagar, District Gurdaspur along with all subsequent proceedings arising therefrom is hereby quashed in view of the compromise dated 15.01.2026 (Annexure P-2) subject to payment of costs of Rs.5,500/- each to be paid by the petitioners with the "Red Cross. Old Age Home" A/c No.50100286016319, IFSC-HDFC0004030, HDFC Bank, Sector-15, Panchkula".

10. Petition is *allowed* in above terms.

13.03.2026

Sumit Gusain

Whether speaking/reasoned

Whether reportable

:

(VINOD S. BHARDWAJ)

JUDGE

: Yes/No

Yes/No