



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

245

CRM-M-5324-2026

MANISH AND ANOTHER

...PETITIONERS

V/s

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

Date of decision: 27.03.2026

Date of Uploading: 27.03.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Punit Verma, Advocate for the petitioners.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. R.P.S. Jammu, Advocate for respondent No.2.

SUMEET GOEL, J. ORAL

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.207 dated 30.05.2021 under Sections 506, 34, 285 of IPC and Section 25 of Arms Act, registered at Police Station Rohtak Sadar, Rohtak and all consequential proceedings arising therefrom on the basis of compromise dated 12.01.2026 (Annexure P-2), which is stated to have been effected between the parties.

2. On 05.02.2026, the following order was passed:

“The petitioners have filed the present petition seeking quashing of FIR No.207 dated 30.05.2021 under Sections 506, 34, 285 IPC and Section 25 of the Arms Act, registered at Police Station Rohtak Sadar, Rohtak and all the subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).



Learned counsel for the petitioners has submitted that the parties have compromised the matter and as such, the present FIR is liable to be quashed.

Notice of motion.

Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the State and Mr. Vikalp Hooda, Advocate, accepts notice on behalf of respondent No.2.

Learned counsel for respondent No.2 has endorsed the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 27.03.2026.

In the meanwhile, both the parties are directed to appear before the concerned Illaqa/Duty Magistrate on 19.02.2026 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It shall also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The Illaqa Magistrate/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.”

3. Pursuant to the aforesaid order, report dated 26.02.2026 from Additional Chief Judicial Magistrate, Rohtak has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

“I have the honour to submit that vide order dated 5.2.2026 passed by Hon'ble Punjab and Haryana High Court, Chandigarh in CRM- M-5324-2026, both the parties were directed to appear before the concerned Illaqa/Duty Magistrate on 19.2.2026 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is result of free will of the parties. It shall also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case.

In compliance of the aforesaid order, the affected parties i.e. parties to both the petitions before Hon'ble High Court appeared before the Court of undersigned being Illaqa Magistrate on 19.2.2026 and moved an application for getting



recorded their statements with regard to the compromise. Accordingly, statements of parties have been recorded. They have specifically stated that with their free consent and without any pressure and coercion etc., the matter has been compromised. Complainant has also submitted that he has no objection, if any present FIR may kindly be quashed No.91/RTK PP. Ghillour, Rohtak has appeared today and his statement has Upon notice, Investigating Officer namely ASI Sandeep also been recorded separately.

As per the statement of Investigating Officer namely ASI Sandeep in the present case that on 3.5.2021, he was posted as Investigating Officer in Police Station Sadar, Rohtak. On that day, an FIR bearing No.207 dated 30.5.2021 under Sections 506, 34, 285 of IPC & 25 of Arms Act was got registered by complainant Sombir against accused Manish and Parvesh. It is further submitted that except complainant Sombir and accused Manish and Parvesh, there is Investigation of the case has been completed against accused Manish and no other person involved in the present FIR. Parvesh and main case is pending before the Hon'ble Court of Ms. Rajni Yadav, Learned Additional Sessions Judge, Rohtak, which is fixed for 20.7.2026 for prosecution evidence. He has further submitted that as per police record, an FIR No.79 dated 12.2.2020 under Sections 323, 342, 365, 506 of IPC Police Station Sadar, Sonipat is pending in the court of Ms. Arshbir Kaur Sandhu, Judicial Magistrate First Class, Sonipat, which is fixed for 20.3.2026. Further, another FIR bearing No.152 dated 15.4.2021 under Section 25 of Arms Act, Police Station Baroda, District Sonipat is pending in the court of Ld. SDJM, Gohana against accused Manish, which is fixed for 18.4.2026. Further, an FIR bearing No.236/2020 under Section 25 of Arms Act, Police Station Sadar, Rohtak is pending in the court of Ms.Ravleen Kaur, Judicial Magistrate First Class, Rohtak, fixed for 13.7.2026. Apart from the same, there is no other FIR registered against accused persons nor they have been declared proclaimed offender in any case.

Both the accused and complainant/victim have appeared before the Court to make their statements in support of compromise and they have signed the same. The compromise has been effected between the parties seems to be genuine, voluntarily, out of free will and without any coercion or undue influence. It is further submitted that as per the report of concerned Ahlmad, main case file is pending in the court of Ms. Rajni Yadav, Ld. Additional Sessions Judge, Rohtak, which is fixed for 20.7.2026 for prosecution evidence.

Accordingly, the report stands submitted. The statements of parties, statement of Investigating Officer in original and copy of zimni order dated 19.02.2026 & 21.02.2026 are annexed herewith for your kind information and necessary action.”



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.207 dated 30.05.2021 under Sections 506, 34, 285 of IPC and Section 25 of Arms Act, registered at Police Station Rohtak Sadar, Rohtak and all consequential proceedings arising therefrom on the basis of compromise dated 12.01.2026 (Annexure P-2), are, hereby, quashed.

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

(SUMEET GOEL)
JUDGE

27.03.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No