



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

243

CRM-M-6812-2026 (O&M)

Date of decision: 27.05.2026

Surjit Singh

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Swaraj Sharma, Advocate for the petitioner
(through V.C.).

Ms. Alisha Soni, AAG Punjab.

Mr. Vishal Tartyal, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of FIR No.234 dated 18.11.2021 registered under Sections 420 & 406 of the Indian Penal Code, 1860 at PS Sujanpur, Pathankot along with all consequential proceedings arising therefrom on the basis of compromise deed dated 29.01.2026 (Annexure P-2).
2. Briefly summarized, the present FIR was registered on the complaint of Praveen Kumar son of Uttam Chand. The complainant alleged that accused Surjit Singh son of Diwan Singh approached him and represented that he could secure a government job for the complainant's unemployed son, namely Sandeep Kumar, in the Military Engineering Services (MES) Department. It is the case of the

prosecution that the accused assured the complainant that he had close acquaintance and influence with senior officers of the concerned department and possessed the necessary arrangements and connections to procure such employment. Acting upon the said representations and assurances, the complainant reposed confidence in the accused and on the strength of the aforesaid promise, the accused induced him to part with a total sum of Rs.5,00,000/-. Out of the said amount, Rs.3,00,000/- was paid through cheque, whereas the remaining Rs.2,00,000/- was paid in cash.

3. The complainant further alleged that despite receiving the aforesaid amount, the accused failed to secure any employment for his son. It was asserted that even after the lapse of a considerable period of time, neither was any government job arranged nor was the amount received by the accused returned to the complainant. It was further alleged that instead of honouring his assurances, the accused avoided the complainant and absconded from his residence. The complainant stated that the whereabouts and present address of the accused had subsequently been ascertained.
4. On the basis of the aforesaid allegations, the complainant asserted that the accused had dishonestly induced him to part with a substantial amount of money on the false pretext of securing government employment for his son and had thereby cheated him, leading to the registration of the present FIR.
5. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition.

6. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 06.02.2026 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.
7. Pursuant to the said order, report has been received from the Judicial Magistrate 1st Class, Pathankot vide Memo No. 129 dated 09.04.2026. The relevant extract of the report is reproduced as under:-

<i>S. No.</i>	<i>Information required</i>
<i>Question I</i>	<i>Total number of persons found involved as accused in the dispute/FIR;</i>
<i>Answer</i>	<i>As per FIR and statement of Investigating Officer, there is only one accused namely Surjit Singh in the present case.</i>
<i>Question II</i>	<i>Number of complainant/victim(s);</i>
<i>Answer</i>	<i>As per FIR and statement of Investigating Officer, there is only one complainant namely Parveen Kumar in the present case. (It, however, deserves mentioned here that accused had duped the complainant for procuring employment for son of complainant namely Sandeep Kumar. Of course, as per record money had been passed by complainant alone.)</i>
<i>Question III</i>	<i>Whether all the accused and complainant / victims are party to compromise & signed the same;</i>
<i>Answer</i>	<i>Both the parties i.e. accused Surjit Singh and complainant Parveen Kumar are parties to the compromise and signed the same. Original compromise deed had been produced before the undersigned.</i>

Question IV	<i>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;</i> <i>OR</i> <i>His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;</i>
Answer	<i>Nil.</i>
Question V	<i>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;</i>
Answer	<i>As per report of Investigating Officer, accused has not been declared proclaimed offender in this case so far. Nor any PO proceedings have been initiated against him. However, as disclosed by accused himself and investigating officer he had earlier been declared proclaimed offender in FIR No.106/2019, under Section 457, 380, 427, 511 of IPC, PS Division No.2, Pathankot, later on he obtained bail in that case and the case has been decided.</i>
Question VI	<i>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;</i>
Answer	<i>In view of the statement of both the parties, this Court is satisfied that the compromise has been executed by the parties by their own volition and without any threat or pressure from any quarter. Further from the demeanor of the parties, the compromise appears to be genuine and without any undue influence or coercion from other side.</i>

Question VII	Any other aspect relevant to the present case.
Answer	None.

- 8. Status report filed by way of affidavit dated 21.05.2026 on behalf of respondent-State is already available on file and the same is taken on record. Registry is directed to do the needful.
- 9. 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.
- 10. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed and affirmed during statement before the trial Court.
- 11. The broad principles for exercising the powers under Section 482 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'**. The relevant paragraphs are extracted as under:

“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.”

12. The Hon'ble Supreme Court has held in '**Ramgopal And Another Vs State of Madhya Pradesh**, 2021 SCC Online SC 834', that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.
13. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.
14. 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-
 - i) *The dispute giving rise to the present FIR is essentially private and monetary in nature, arising out of a commercial transaction between the parties.*
 - ii) *The parties have amicably resolved their inter se disputes and have entered into a full and final settlement voluntarily, without any coercion, undue influence or compulsion.*

- iii) *The petitioner is aged approximately 51 years of age and is settled in his personal, social and professional lives. Continued exposure to criminal proceedings and the apprehension of incarceration would adversely affect not only his livelihood and professional standing but would also seriously prejudice his ability to discharge familial, social and financial obligations towards his dependents.*
- iv) *The FIR in question pertains to the year 2021 and a substantial period of time has already elapsed since its registration. However, the proceedings are still at a preliminary stage and no significant progress appears to have been made towards culmination of trial.*
- v) *The petitioner has continued to face the rigours, anxiety and stigma associated with criminal prosecution for a prolonged duration, which itself constitutes a relevant consideration while exercising inherent jurisdiction under Section 482 of the Code.*
- vi) *The offences alleged cannot be categorized as heinous offences involving mental depravity or offences having such grave societal impact so as to shock the collective conscience of society or that of the Court.*
- vii) *The allegations do not pertain to offences against the State, acts of terrorism, offences involving extreme violence, sexual offences or crimes having grave repercussions upon public order or institutional integrity.*
- viii) *The complainant, having entered into a lawful compromise with*

the petitioner, is no longer desirous of pursuing the criminal proceedings. Thus, the possibility of the prosecution securing a meaningful conviction is rendered extremely remote and bleak.

- ix) Continuation of the criminal proceedings in such circumstances would only result in unnecessary prolongation of litigation, avoidable harassment to the parties and futile consumption of valuable judicial time.*
 - x) There is nothing on record to suggest that the petitioner is habitual offender or person having criminal antecedents indicative of criminal propensity.*
 - xi) Quashing of the proceedings would advance the cause of justice, promote harmony between the parties and secure lasting peace and finality to the dispute.*
15. In view of the report of the Judicial Magistrate 1st Class, Pathankot and the principles laid down by the Apex Court in '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641', the instant petition is allowed FIR No.234 dated 18.11.2021 registered under Sections 420 & 406 of the Indian Penal Code, 1860 along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise deed dated 29.01.2026 (Annexure P-2).
16. Petition is **allowed**.

(VINOD S. BHARDWAJ)
JUDGE

27.05.2026

Mangal Singh

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