

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

248

2026:PHHC:010801



CRM-M-8640-2025 (O&M).  
Date of decision: 23.01.2026.

HARJINDER SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present :- None for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

None for respondents No.2 and 3.

**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.0280 dated  
21.12.2023 under Section(s) 452, 427, 148 and 149 of the Indian Penal Code,  
1860, registered at Police Station Chheharta, District Police  
Commissionerate, Amritsar, District Amritsar, Punjab, along with all  
subsequent proceedings arising therefrom on the basis of compromise dated  
29.07.2024 (Annexure P-2).

2           The aforesaid FIR was registered on the statement of Neetu Kaur wife of Harjit Singh, resident of House No.11 Ward No. 7, Baba Darshan Singh Avenue, Mahal, Ram Tirath Road, Amritsar. The translated version of the same is reproduced as under: -

*“My husband Harjit Singh has a private job, and I have two children, elder daughter Urvashi is aged 13 years and younger son Parvesh is aged 10 years. On 12.12.2023, at about 10:00 PM while I was present in my house, along with my family and having our dinner then our neighbour Harjinder Singh along with his sons Jashanpreet Singh alias Raja and Sunny and 10-11 other unknown persons who were armed with baseball bats and datars entered into our house while abusing and threatening us saying that we should be taught a lesson for trying to stop the sewerage work being laid in the street. All of them attacked our house and started throwing brick bats towards us, they also entered inside the house and caused damage to the household property. We tried to save our lives with great difficulty and immediately dialed 100 number and informed the police. That while leaving our house, the above-mentioned persons threw brick balsstones at the house of my brother-in-law Balbir Singh and broke window pane of his house. They also damaged our car make CRETA bearing No. PB02 EB 7109 while leaving, which was parked in the street.*

*The police reached the occurrence and saved our life and arrested a few persons while initiating proceedings under section 107/151 CR.P.C and a committee consisting of 3 respectable members of the area regarding the compromise was also made however the compromise could not be affected because of refusal to compensate for the damage caused by Harjinder Singh. Today I have come present to get recorded my statement. Strict Legal action be taken against all the accused*

*persons. I have read and signed my statement”*

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

4           The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 25.09.2025 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, report has been received from the Judicial Magistrate First Class, Amritsar, vide Memo No.6 dated 04.12.2025. The relevant extract of the report is reproduced as under:-

*“1. Only three persons namely Sandeep Singh, Harjinder Singh, Jashandeep Singh alias Jashanpreet Singh alias Raja have been arrayed as accused in above said FIR.*

*2. The present petition has been filed by all the accused.*

*3. None of the accused in the present case have been declared as Proclaimed offender.*

*4. Compromise effected between the parties appears to be genuine, voluntary and without any coercion or undue influence.*

*5. In addition to the present FIR, two other i.e. FIR i.e. 52/2025 under section 21-C/29/25 of NDPS Act and section 25 of Arms Act P.S. Chheharata Amritsar and FIR no. 368/2025 under section 52-A of Prisons Act, P.S. Goindwal Sahib, District Tarn Taran have been registered against accused Jashanpreet Singh @ Jashandeep Singh @Raja. No other FIR has been registered*

*against accused namely Harjinder Singh and Sandeep Singh..*

*6. As per statement of the parties and Investigating Officer Neetu and Balbir Singh are only complainant/victim in the present FIR.*

*7. All the victims/injured/complainants have been impleaded as respondents in the present petition”*

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            The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) 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 noncompoundable.*

*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           The Hon'ble Supreme Court has held in the matter of **'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.

9           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 incident pertains to the year 2023 and the alleged act occurred more than two years ago.
- (ii) It is a version and cross-version case, arising out of a dispute between neighbours wherein both sides have levelled allegations against each other, thereby reflecting a mutual altercation rather than a one-sided criminal act.
- (iii) Petitioner(s) no. 1, 2 and 3 are 51, 27, and 24 years respectively and continued criminal incarceration will cause severe repercussions to the petitioners in discharge of their social obligations as well as in their work place.
- (vi) The offence in question cannot be said to be heinous or as an offence that would be shocking to the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;
- (v) In view of the version and cross version, the likelihood of the complainant supporting the prosecution case is remote and the probability of securing a conviction is bleak
- (vi) The dispute has lost its adversarial character and the continuation of proceedings would serve no meaningful purpose.

10 In view of the report of the Judicial Magistrate First Class, Amritsar 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 bearing No.0280 dated 21.12.2023 under Section(s) 452, 427, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Chheharta, District Police Commissionerate, Amritsar, District Amritsar, Punjab, along with all subsequent proceedings arising therefrom is hereby quashed on the basis of compromise dated 29.07.2024 (Annexure P-2) entered between the parties.

11                      Petition is allowed in above terms.

January 23, 2026.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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

RAJ KUMAR ARORA  
2026.02.03 11:24  
I attest to the accuracy and  
integrity of this document