



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

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CRM-M-8209-2026 (O&M)

Date of decision: 04.05.2026

AVTAR SINGH @ GEETA AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioners.

Mr. Mohit Kapoor, Senior DAG, Punjab.

Mr. Ajay Singh Pundir, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

CRM-19072-2026

The present application has been filed seeking directions to the Registry of this Court to accept Demand Draft No. 000411 dated 26.02.2026 for an amount of Rs. 30,000/- in favour of “High Court Legal Services Committee.”

For the reasons mentioned in the application, the same is allowed and the Registry is directed to accept the aforesaid demand draft.

Accordingly, a Demand Draft bearing No. 000411 dated 26.02.2026 (in original) has been handed over to Mr. Dev Nath Goswami, Senior Assistant in the Court today who had deposited the said draft in the Registry vide Receipt No. 86 dated 04.05.2026 and the same is taken on record.

CRM-M-8209-2026

1. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.150 dated 27.08.2025 registered under Sections 118(1)/115(2)/190/191(3) of BNS, 2023 (Section 3(5)/238 of the BNS, 2023 was added later on) at Police Station Bhagta Bhai Ka (Dayalpura), District Bathinda along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2026 (Annexure P-2).

2. The aforesaid FIR was registered on the statement of Gurpreet Singh son of Gurmander Singh, resident of Village Bhodipura. As per the allegations contained therein, on 26.08.2025 at about 09:00 PM, the complainant was present at his residence along with his family members when Geeta Singh called him outside the house. Upon reaching the street, the complainant found Gurjant Singh, Gagandeep Singh, Geeta Singh and two unidentified persons, all residents of Village Bhodipura, standing together and armed with weapons including an iron kapa, iron rod, daang and sticks. It was alleged that Geeta Singh raised a lalkara and inflicted a blow with the iron kapa upon the complainant, which resulted in injuries to the fingers of his right hand while he attempted to protect himself. It was further alleged that thereafter Gagandeep Singh struck the complainant on his back with an iron

rod, while Gurjant Singh dealt a blow on his head with a daang, causing him to fall to the ground, following which the two unidentified persons also assaulted him with sticks. The FIR further records that upon hearing the commotion, the complainant's wife Manpreet Kaur came to intervene and rescue him, but she too was assaulted by the accused persons and sustained injuries on her back, neck and head. Their daughter, Gagandeep Kaur, who also reached the spot, was also beaten by the assailants. Upon alarm being raised, all the accused persons fled from the spot carrying their respective weapons. Thereafter, the injured persons were taken to Civil Hospital Bhagta for medical treatment. The genesis of the occurrence is stated to be previous enmity between the parties, arising from an earlier incident wherein Gurjant Singh had used derogatory language towards the complainant's daughter. It is alleged that the complainant and his wife had earlier gone to protest and complain regarding the said conduct, which ultimately culminated in the occurrence in question.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion. Hence, the present petition.

4. Pursuant to the order passed by this Court dated 12.02.2026, a report has been received from the Judicial Magistrate, 1st Class, Phul vide Memo No. 70 dated 27.02.2026. The relevant extract of the report reads thus:-

“There are two complainant namely Manpreet Kaur w/o Gurpreet Singh, Gurpreet Singh s/o Gurmander Singh and one injured Gagandeep Kaur d/o Gurpreet Singh all to village

Bhodipura, Tehsil Phul & District Bathinda and three accused namely Avtar Singh @ Geeta s/o Resham Singh, Gurjant Singh s/o Resham Singh and Gagandeep Singh Gagna s/o Gurcharan Singh @ Charna all r/o village Bhodipura Tehsil Phul District Bathinda. The complainant namely Manpreet Kaur, Gurpreet Singh and injured Gagandeep Kaur suffered statements regarding compromise and stated that the said compromise is voluntarily without any coercion, fraud, misrepresentation or undue influence.

2. *The concerned 10 ASI Kuldeep Singh. 1815/BTI suffered a statement that total three persons are arrayed as accused in present FIR No. 150 dated 27.08.2025 at PS Bhagta Bhai Ka which was registered on the instance of Manpreet Kaur w/o Gurpreet Singh and Gurpreet Singh so Gurmander Singh ro village Bhodipura. Tehsil Phul. District Bathinda. All the three accused are not declared as proclaimed person/offender in any case. All three accused are involved in another case bearing DDR No. 31 in FIR No. 159 dated 11.09.2025, PS Bhagta Bhai Ka. All the accused/ petitioners Avtar Singh Geeta, Gurjant Singh and Gagandeep Singh @ Gagna and all ro village Bhodipura, Tehsil Phul, District Bathinda also suffered respective statements qua compromise effected between the parties.*

3. *The final report regarding the present FIR has been presented in the Court and fixed for prosecution evidence.*

4. *Compromise effected between the complainants namely Manpreet Kaur w/o Gurpreet Singh, Gurpreet Singh s/o Gurmander Singh and one injured Gagandeep Kaur d/o Gurpreet Singh ro village Bhodipura, Tehsil Phul & District Bathinda and accused persons namely Avtar Singh & Geeta, Gurjant Singh and Gagandeep Singh @ Gagna and all r/o village Bhodipura, Tehsil Phul, District Bathinda is genuine and it is voluntarily effected between the parties with their free will and*

without any pressure, threat, coercion or undue influence from any quarter.

This report along with copies of statements of parties, concerned IO, annexures is submitted for kind perusal as desired by the Hon'ble High Court vide its order dated 12.02.2026.

5. Status report by way of affidavit of Manoj Kumar, PPS, Deputy Superintendent of Police, Sub-Division Phul, District Bathinda already stands filed and the same is taken on record.

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. Mr. Ajay Singh Pundir, Advocate appears on behalf of respondents No. 2 to 4 and reiterates the settlement and his concurrence to the quashing of the FIR along with all the other consequential proceedings.

8. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure were summarized by the Hon'ble Supreme Court in the matter of ***Gian Singh v. State of Punjab and Another***, reported as (2012) 10 SCC 303, wherein it was held as under:

61. The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint

or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the

ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.

(Emphasis supplied)

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:-

- a. It is established from the report of Judicial Magistrate, 1st Class, Phul that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. The occurrence is stated to have arisen out of previous enmity, as Gurjant Singh had earlier used derogatory language towards the complainant's daughter, regarding which the complainant and his wife had gone to complain, leading to the present assault.
- c. Petitioners are in the age bracket of 31-35 years and continued incarceration in a criminal case will cause severe repercussions to him in the discharge of his social obligations, as well as at his workplace and may adversely impact his career.
- d. The FIR in question pertains to the year 2025 and therefore, the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquillity among the parties.

- e. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court.
- f. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

10. In view of the report submitted by the Judicial Magistrate 1st Class, Phul and having regard to the settled principles laid down by the Hon ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No.150 dated 27.08.2025 registered under Sections 118(1)/115(2)/190/191(3) of BNS, 2023 (Section 3(5)/238 of the BNS, 2023 was added later on) at Police Station Bhagta Bhai Ka (Dayalpura), District Bathinda, along with all subsequent proceedings arising therefrom, **are hereby quashed** in view of the compromise dated 05.02.2026 (Annexure P-2).

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

MAY 04, 2026
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No