

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026.PHHC.072087



119 CRM-16424-2026 in/&
CRR-446-2019 (O&M)
Date of decision: 8.5.2026
Date of uploading: 8.5.2026

Bal Kishan and others ...Petitioners
V/s
State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL
Present: Mr. Tanvir Singh Grewal, Advocate for the petitioners.
Mr. Gurmeet Singh, AAG, Haryana
Mr. Rajesh Gupta, Advocate for respondents No.2 to 7
(Through V.C.).

SUMEET GOEL, J. (Oral)

With the consent of the parties, the main case is taken up on board for hearing today itself i.e. 08.05.2026.

1. The present revision petition has been filed impugning the judgment dated 08.02.2019 passed by the learned Additional Sessions Judge, Karnal & the judgment dated 18.08.2017 as also the order of sentence dated 21.08.2017 passed by Judicial Magistrate Ist Class, Karnal, whereby the petitioners have been convicted and sentenced as under:

Sr. No.	Under Sections	Punishment Awarded	Sentence in Default of Payment of Fine
1.	148 read with 149 IPC	RI for 1 year and fine of ₹500/- each	SI for 5 days
2.	323 read with 149 IPC	SI for 6 months and fine of ₹500/- each	SI for 5 days
3.	325 read with 149 IPC	RI for 3 years and fine of ₹1,000/- each	SI for 5 days
4.	506 read with 149 IPC	SI for 6 months and fine of ₹500/- each	SI for 5 days

2. On 21.04.2026, the following order was passed:

“At the outset, learned counsel for the applicant-petitioners has brought to the notice of this Court that petitioners No.1 and 6 have expired, and hence, the petition in hand has been rendered infructuous qua them.

Ordered accordingly.

Notice of the application in hand be issued.

On the strength of advance service of copy of application: Mr. Gurmeet Singh, AAG Haryana causes appearance and accepts notice on behalf of respondent No.1-State of Haryana.

At this juncture, Mr. Rajesh Gupta, Advocate causes appearance, through video-conferencing, and accepts notice on behalf of respondents No.2 to 7.

Learned counsel for the rival private parties are ad idem that to iron out differences, if remaining, a request has been made that the matter be sent to the Mediation and Conciliation Centre at Karnal.

In view of the above, the parties are directed to appear before the Mediation and Conciliation Centre at Karnal on 24.04.2026.

Put up on 01.05.2026.”

3. Pursuant to the aforesaid order, report dated 27.04.2026 from the Mediation & Conciliation Centre, Karnal duly forward by learned District & Sessions Judge, Karnal, has been received, which is taken on record, relevant whereof reads as under:

“I have the honour to submit the report of the Mediator, District Mediation and Conciliation Centre, Karnal in compliance of the order passed by Hon'ble Justice Sh. Sumeet Goel, Judge Punjab & Haryana High Court, Chandigarh dated 21.04.2026 in CRMs-16424-25-2026 IN CRR-446-2019 titled as Bal Kishan and others Vs. State of Haryana. The mediator reported the matter as "Successful".

This is for your honour's kind perusal and further necessary action, as deemed fit, please.”

4. Learned counsel appearing for the complainant-respondent Nos.2 to 7 has ratified the factum of compromise/settlement having been arrived at between the parties and has further vouched the genuineness of the settlement/agreement dated 06.04.2026 (Annexure A-4). Accordingly, he has iterated that the respondent Nos.2 to 7-complainant-side have no objection in case the offence is permitted to be compounded and the petitioners are ordered to be acquitted.

5. Similarly, learned State counsel submits that he has no objection in case the offence is permitted to be compounded by this Court and the petitioners are ordered to be acquitted.

6. I have heard learned counsel for the rival parties and have perused the available record.

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. Reverting to the facts of the case in hand, it is not disputed by the concerned rival parties that an amicable settlement has been arrived at between them and, therefore, compounding of the offence and necessary further directions have been sought from this Court. A perusal of the settlement/agreement reflects that the parties have sought to resolve their dispute(s) in *toto* and bury the hatchet. Consequently, in the considered opinion of this Court, the factual matrix of the case requires that the offence(s) ought to be permitted to be compounded and the petitioners deserve to be acquitted.

10. In view of the above, it is directed as under:-

- (i) The impugned judgment dated 08.02.2019 passed by the learned Additional Sessions Judge, Karnal & the judgment dated 18.08.2017 as also the order of sentence dated 21.08.2017 passed by Judicial Magistrate Ist Class, Karnal are set-aside and the petitioners are acquitted.
- (ii) No order as to costs.
- (iii) Pending application(s), if any, shall also stands disposed of.

(SUMEET GOEL)
JUDGE

May 08, 2026
Naveen

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