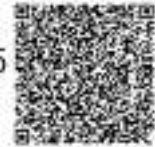


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

268

2026:PHHC:073665



CRM-M-8788-2026 (O&M).
Date of decision: 11.05.2026.

GURMEET 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).

Ms. Aiman J. Chishti, AAG, 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 case bearing FIR No.249
dated 10.12.2025, registered under Section(s) 115(2), 118(1), 126(2), 351(2),
190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sadar
Nabha, District Patiala, along with all subsequent proceedings arising
therefrom on the basis of compromise dated 27.01.2026 (Annexure P-4).

2 The aforesaid FIR was registered on the statement of Sukhpal Singh son of Amar Singh, resident of Wazidpur, Tehsil Nabha, District Patiala, which reads thus: -

“I am resident of above said address and do agriculture. Yesterday i.e. on 09.12.2025 at about 7:15 PM, I was sitting on passage of my field and stray animals from reserve forest adjoining our field come in fields for food, due to which I was sitting on passage leading to our field for the protection of my crop. My son Jatinder Singh was also standing near me and then he told me that he was going home. He went on his motor cycle for going home. When my son had travelled a short distance, then one vehicle stopped near him and I heard the voice of person sitting in vehicle. I went to the spot near my son. Then I saw that person sitting in vehicle was Amardeep Singh son of Jeet Singh resident of Khokh, whose land is adjoining to my land. Amardeep Singh was accusing my son Jatinder Singh of allowing entry of stray cattle in their fields. Me and my son tried to advice Amardeep Singh but he got infuriated and started abusing us. Then Amardeep Singh made a phone call and called his chacha Gurmeet Singh @ Meeta son of Kartar Singh and his chacha's son Jasdev Singh @ Jassa son of Darshan Singh resident of Khokh, who came in a vehicle and three unknown persons were also accompanying them. Immediately on coming, they started giving beatings to me and my son. They were armed with dandas and sharp edged weapons and Amardeep Singh aforesaid picked an iron kitch from his vehicle and tried to give a blow on my head. I forwarded my right hand (arm), whereupon it hit on my wrist of left hand and other person gave a danda blows to my son Jatinder Singh, which hit on his back and Jasdev Singh @ Jassa gave danda blows on my right leg. Then we got ourselves freed from above said persons and tried to run towards our fields, whereupon above said persons again waylaid us and gave beatings to us. They issued threats to me and my son Jatinder

Singh aforesaid to kill us and were raising exhortations. On hearing our alarm, the commuters got us rescued from above said persons. I had tied a parna on my head and above said persons forcibly took it away and while issuing threats to us, fled away from the spot with their weapons in vehicle. Due to sustained kirch blow, a lot of blood was oozing out, due to which my son Jatinder Singh took me to Civil Hospital Nabha on his motor cycle and got me admitted there, where I am undergoing treatment. The cause of grudge is that our field is adjacent to Dosanjh reserve forest and stray cattle enter our fields to eat the crop and every farmer sits in his field to save the crop from animals. The field of Amardeep Singh aforesaid is next to our field and he thinks that we allow the cattle to enter his field. Appropriate legal action be initiated against above said persons. I have got recorded my statement to you in presence of my son Jatinder Singh. I have read and heard it, which is correct.”

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

4 The parties were directed to appear before the trial Court/Illaq Magistrate vide order dated 16.02.2026 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.

5 Pursuant to the said order, a report has been received from the Judicial Magistrate First Class, Nabha, vide Memo No.157 dated 19.03.2026.

The relevant extract of the report is reproduced as under: -

“The point-wise report of the Trial Court is as under: -

I. Total number of persons found involved as accused in the dispute/FIR;

Total three persons found involved as accused in the present dispute/FIR namely Amardeep Singh, Gurmeet Singh @ Meeta and Jasdev Singh @ Jassa.

II. Number of complainant/victim(s);

Sukhpal Singh is complainant and Jatinder Singh is victim in the present FIR.

III. Whether all the accused and complainant/victims are party to compromise & signed the same;

All the accused and the complainant Sukhpal Singh are parties to the compromise effected between them on 27.01.2026, but victim Jatinder Singh was not a party to the same. However, Jatinder Singh had signed the compromise as its witness in agreement.

IV. 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, OR

His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;

No affected person (accused or complainant) is left out or arrayed as party in the quashing petition before Hon'ble High Court.

The statements of all the persons i.e. all the accused and complainant as well as victim involved in the present FIR are recorded.

V. Whether any accused has been declared as a proclaimed offender/ person or any such proceedings against him/her have been initiated or pending adjudication;

No accused is absconding/proclaimed person in the case. No other criminal case is pending against the accused except the

present one.

VI. Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;

The compromise is genuine, voluntary, and without any coercion or undue influence. Both the complainant Sukhpal Singh as well as victim Jatinder Singh and the accused person namely Amardeep Singh, Gurmeet Singh @ Meeta and Jasdev Singh @ Jassa appeared before the Court and made their statements in support of the compromise. The compromise appears to be genuine, voluntary and out of free will of the parties.

VII. Any other aspect relevant to the present case;

The accused had deposited a sum of Rs. 30,000/- (Rs. 10,000/- each) with the High Court Legal Service Committee and copy of receipt of the payment dated 24.02.2026 has been placed on record as Mark-F. The same was directed to be paid by the Hon'ble High Court in the order dated 16.02.2026."

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 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.”

8 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) It is established from the report of the Judicial Magistrate First Class, Nabha, that a compromise has been effected voluntarily between the parties restoring peace and harmony between them.
- (ii) The petitioners are aged 67, 47 and 41 years respectively and continuation of criminal proceedings would have a serious adverse impact on their future prospects, employment opportunities and social standing.
- (iii) The occurrence does not reflect any deep-rooted criminal intent or continuing threat to society.
- (iv) The offences alleged, though not to be condoned, cannot be categorized as heinous or of such a nature that they shock the conscience of society or warrant continuation of prosecution despite settlement.
- (v) There is nothing on record to suggest that the petitioners are habitual offenders or that their conduct poses any continuing threat to public order or societal interest.
- (vi) In view of the compromise, the complainant is unlikely to support the case of the prosecution, thereby rendering the possibility of conviction remote.
- (vii) Continuation of the criminal proceedings in such circumstances would not serve any larger public interest and would result in unnecessary harassment to the parties.
- (viii) The ends of justice would be better served by putting an end

to the proceedings rather than allowing them to continue as an exercise in futility, leading to wastage of precious judicial time.

9 In view of the report of the Judicial Magistrate First Class, Nabha and having regard to the settled principles laid down by the Hon’ble Supreme Court on the subject, the instant petition is allowed. FIR No.249 dated 10.12.2025, registered under Section(s) 115(2), 118(1), 126(2), 351(2), 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sadar Nabha, District Patiala, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 27.01.2026 (Annexure P-4) entered between the parties.

10 Petition is allowed in above terms.

May 11, 2026.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No