



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

297-2

CRM-M-10989-2025

RANDEEP SINGH @ RAMANA AND ORS

....PETITIONERS

V/s

STATE OF PUNJAB AND ORS

....RESPONDENTS

Date of decision: 03.02.2026

Date of Uploading: 03.02.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Dhaliwal, Advocate for the petitioners.

Mr. Gaurav Gurcharan S. Rai, Sr. DAG, Punjab.

Ms. Kirandeep Kaur, Advocate for respondents No.2 and 3.

SUMEET GOEL, J.

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.19 dated 09.03.2019 under Sections 323, 324, 148, 149 of IPC (Section 325 of IPC added subsequently vide DDR No.25 dated 18.04.2019) registered at Police Station Lakhewali, District Sri Muktsar Sahib, Punjab and all consequential proceedings arising therefrom on the basis of compromise dated 10.01.2025 (Annexure P-2), which is stated to have been effected between the parties.

2. On 28.02.2025, the following order was passed:

*“Prayer is for quashing of FIR No.19 dated 09.03.2019 under Sections 323, 324, 148, 149 IPC (Section 325 IPC added subsequently vide DDR No.25 dated 18.04.2019), registered at Police Station Lakhewali, District Sri Muktsar Sahib, Annexure P-13, on the basis of compromise.
Notice of motion.*



At this stage, Mr. M.S. Rai, Advocate, accepts notice on behalf of the complainant/respondent No.2 and 3. He admitted the correctness of compromise and stated that he has no objection if this petition is allowed.

On the asking of this Court, Mr. J.S. Dhaliwal, AAG, Punjab accepts notice on behalf of the State. He does not wish to file any reply as the parties are stated to have effected the compromise.

So, the parties are directed to appear before the learned trial court/Illaq Magistrate on 17.03.2025 or any other date convenient to the trial Court/Illaq Magistrate and to get record their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate, is directed to send the same along with his report regarding the genuineness of compromise on or before the date fixed in the instant petition specifically with regard to the following facts :-

- 1. Number of persons arrayed as accused in the FIR.*
- 2. Whether any accused is proclaimed offender.*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary and without any coercion or undue influence.*

To come up on 08.05.2025 for awaiting the report.

A copy of this order be sent to the learned trial Court/Illaq Magistrate, through electronic mode, for compliance.”

3. Pursuant to the aforesaid order, report dated 01.04.2025 from Judicial Magistrate Ist Class, Malout, District Sri Muktsar Sahib has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

“1. I have the honour to submit that vide order dated 28.02.2025 passed by Hon'ble Punjab and Haryana High Court at Chandigarh in CRM-M-10989-2025 the parties were directed to appear before the Illaq Magistrate/trial court for recording their respective statements with regard to the genuineness of the compromise and Illaq Magistrate/trial Court had been directed to submit a report in this regard on or before next date of hearing i.e.08.05.2025 containing the following information (I) Number of persons arrayed as accused in the FIR (II) Whether any accused is proclaimed offender (III) Stage of the trial/proceedings (IV) Whether the compromise is genuine, voluntary and without any coercion or undue influence.

2. In compliance with aforesaid order, parties have come present. Statement of complainants namely Jagseer Singh and



Sukhjinder singh recorded in which they stated that the present FIR has been registered on the basis of statement of Jagseer Singh against the accused persons namely Randeep Singh @ Ramna, Sukhbeer Singh, Bhupinder Singh, Amritpal Singh, Harminder Singh @ Kala Singh, Lovekaran Kel Singh. They have arrived at a compromise in this matter with the accused persons with the intervention of the village Panchayat. The matter has been amicably sorted out between them. They have no grudge with the accused persons. The compromise has been arrived at voluntarily without any pressure, coercion, with the other party and with their own sweet will. No one has been declared proclaimed offender in the present case. They do not want to proceed with the present case and they have no objection if the present case FIR and other proceedings are quashed against the accused persons.

3. Similarly, statement of accused persons namely Randeep Singh @ Ramna, Sukhbeer Singh, Bhupinder Singh, Amritpal Singh, Harminder Singh @ Kala Singh, Lovekaran Singh have also been recorded in which they have stated that the present FIR has been registered on the basis of the statement of the complainant Jagseer Singh against them. They have arrived at a compromise in this matter with the complainants with the intervention of the village Panchayat. The matter has been amicably sorted out between them and the complainants. They have no grudge with the complainants. The compromise has been arrived at voluntarily without any pressure, coercion, with the other party and with their own sweet will. No one has been declared proclaimed offender in the present case.

4. In order to prove their identity, both the parties have placed on file their identity proof. Both parties are identified by their respective counsels. This court is satisfied that aforesaid statements made by the parties are voluntarily and their compromise has been arrived at genuine, voluntarily, threat, without any coercion or undue influence from either side. It is further mentioned that HC Kuldeep Singh suffered a statement that as per record no PO Proceedings are pending against any person who are involved in the present case.”

4. Learned counsel for respondent Nos.2 and 3 admits the fact of parties having compromised and states that she has no objection in case the FIR and all proceedings subsequent thereto against the petitioners are quashed.

5. Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise (Annexure P-2).



6. I have heard learned Counsel for the parties and have carefully gone through the records of the case.

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. Consequently, the petition is allowed. FIR No.19 dated 09.03.2019 under Sections 323, 324, 148, 149 of IPC (Section 325 of IPC added subsequently vide DDR No.25 dated 18.04.2019) registered at Police Station Lakhewali, District Sri Muktsar Sahib, Punjab and all consequential proceedings arising therefrom on the basis of compromise dated 10.01.2025 (Annexure P-2), are, hereby, quashed.
10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

03.02.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No