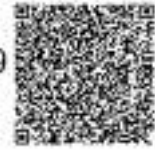


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

245

2026:PHHC:072509



CRM-M-8176-2026 (O&M).
Date of decision: 08.05.2026.

LOVEDEEP SINGH CHAHAL @ LOVEDEEP SINGH AND
ANOTHER

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present :- Mr. Davinder Bir Singh, Advocate,
for the petitioner(s).

Ms. Aiman J. Chishti, AAG, Punjab.

Mr. Vardaan Seth, Advocate,
(Through Video Conference)
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 bearing No.33 dated
31.03.2022 under Section(s) 420 and 120-B of the Indian Penal Code, 1860,
registered at Police Station Dugri, District Police Commissionerate Ludhiana,
along with all subsequent proceedings arising therefrom on the basis of

compromise dated 21.01.2026 (Annexure P-2).

2 The aforesaid FIR was registered on the complaint submitted by Pardeep Kumar. The translated version of the same is reproduced as under: -

To Commissioner of Police Ludhiana. Application against: (1)) Harbaksh Singh son of Harsurinder Singh resident of Halifax, Nova Scotia Canada, presently resident of House No. 77, King City Jalandhar (2) Lovedeep Singh son of Harsurinder Singh resident of House No. 77. King City Jalandhar, regarding registration of a case for defrauding of lakhs of rupees on the pretext of getting the applicant's son permanent abroad. That I Pardeep Kumar Dhawan son of Devraj Dhawan, am a resident of 437 Phase-2 Dugri, District Ludhiana and make the following request: 1. That I am a property worker by profession and have been residing at the said address for many years and I have a son Abhishek Dhawan and a daughter Divyansi Dhawan. 2. That my son Abhishek Dhawan is living in Canada for the past 5 years and is currently residing at Vancouver and came to know about above Harbaksh Chahal from my son's friends and the said Harbaksh Singh spoke to my son several times over the phone and he told himself to be ICCRC Member and immigration lawyer and on the pretext of getting PR for my son at Canada, he asked for 11000 dollars in advance and the rest according to the expenditure. On the asking of said Harbaksh Singh, my son's friend Tarun Nagi transferred 2500 dollars to Harbaksh Singh's account to get his PR work done and my son also deposited 2500 dollars of his share in Harbaksh Singh's Canada account and for this my son made me talk on WhatsApp with above Harbaksh Singh and after that above Harbaksh Singh told me about his program to come to India and told me to take the remaining amount through cash at Jalandhar. 3. That I along with friend Raj Kumar son of Tek Chand resident of Ludhiana and Harpreet Singh and my son's friend Tarun Nagi's father Gobind Ram Nagi

resident of Jagraon, went to meet the above mentioned Harbaksh Singh at the address at Jalandhar on 20-07-2020 and according to him the settled amount of my son 11000 dollars, out of which 2500 dollars was given to him by my son in Canada through bank transfer and the remaining amount 8500 dollars, according to Indian currency Rs. 4,50,000/- for my son Abhishek and Rs. 4,50,00/- for my son's friend Tarun Nagi, asked for total Rs. 9,00,000/-, I gave Rs. 8,00,000/- at the spot to above Harbaksh Singh in the presence of my friends for counting, and above Harbaksh Singh took the amount from me and gave it to his brother Lovedeep Singh for counting and said to pay the remaining amount of 1 lakh soon and said that further work will be done only on payment of full amount. And about taking the balance amount of one lakh rupees, after that I received a call from the aforementioned Harbaksh Singh from the phone of the above Lovedeep Singh and he made me speak to Harbaksh Singh and Harbaksh Singh told me that he is coming to Ludhiana to collect the balance amount of one lakh rupees and I started waiting for him and Harbaksh Singh sent his acquaintance to my house and that person made me to talk to the said Harbaksh Singh on his phone and Harbaksh Singh told me to give one lakh rupees to that person and when I asked to meet him, said Harbaksh Singh told me that he is at Ludhiana and will meet him soon. 4. That after this aforesaid Harbaksh Singh, after receiving the full money, said that he would soon complete the work of PR for my son and his friend and assured that within a few days he will get PR of my son and his friend done as he has already applied for PR of my son and his friend and soon he will provide the PR number to my son and his friend and us. 5. That after this we came to know what whatever papers above mentioned Harbaksh Singh submitted in the Embassy for the PR of my son and his friend, they were fake and forged and due to this, my son and his friend were banned in Canada for five years. And when I wanted to talk to said Harbaksh Singh and his brother about this,

they started delaying by making some excuse or the other and when I asked the aforementioned Harbaksh Singh and his brother about returning the money, they refused and started threatening me that if I take any legal action against them, they would implicate me and my family in a false criminal case and in this regard, after speaking to above mentioned Harbaksh Singh and his brother, I kept begging to return my money and went to meet them at the said address at Jalandhar, they started threatening to kill me and in this regard I gave an application to take legal action against them, but due to the influence of the above persons, on the above application no action has been taken yet. When I went to check about the above application, the above persons threatened to kill me in the presence of the police personnel in the police station Patara Jalandhar rural and refused to return my money. I was very scared and there is threat to my life and property from the above persons.6. That after this the above mentioned persons, in order to delay the matter under a conspiracy, talked about compromise with me in front of the respectable persons at Ludhiana and sent me a photo of the cheque of Rs. 3,04,750/- on whatsapp and said that remaining amount of Rs. 1,50,000/- will also be paid soon and the amount of my son's friend will be paid to his father. I came in their talks and agreed not to take any action against them in case of returning the money and the above person very cleverly left the spot saying that they will bring a written compromise from Jalandhar through their lawyer and only after getting my signature, my money will be returned including Rs. 3,00,000/- as mentioned on cheque sent through whatsapp and Rs. 1,50,000/- cash. They took time time of 1-2 days and went away. When I tried to talk to the above persons on the phone, the above persons sent a notice to my son Abhishek in Canada and have resiled from the above compromise and have also refused to return the money. (I am attaching the copy of the cheque sent on WhatsApp and the photo of WhatsApp) 7. That on the basis of all the facts mentioned

above, the above mentioned persons have defrauded us of about twelve lakhs of rupees from the beginning under a well-thought-out conspiracy by pretending to be immigration agents and lawyers on the basis of false documents and with the intention of defrauding the gullible people and now they are not even paying our money. Therefore, through this application, we request you to register a case against the above persons by taking appropriate legal action and recover our money and give us justice”

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 learned trial Court/Illaq Magistrate vide order dated 13.02.2026 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, Ludhiana, vide Memo No.345 dated 09.03.2026. The relevant extract of the report is reproduced as under: -

“(I) As per the statement of I.O., two persons were arrayed as accused in the present case namely Lovedeep Singh Chahal @ Lovedeep Singh and Harbax Singh Chahal against whom, the present FIR was registered.

(II) As per the statement of I.O., there is only one complainant in the present case FIR namely Pardeep Kumar @ Pardeep Kumar Dhawan and and there is one aggrieved person namely Govind Nagi.

(III) Both complainant and aggrieved person and both the to

compromise and signed the accused persons compromise Ex. C1.

(IV) No person has been left to be arrayed as a party in the quashing petition before the Hon.ble High Court.

(V) As per the statement of IO none of the accused person has been declared proclaimed offender/person in this case.

(VI) As per the directions of Hon'ble Punjab and Haryana High Court, statement of both the parties and the investigating officer have been recorded qua genuineness and validity or otherwise of the compromise. As per the statement of both the parties, the compromise between the parties is found to be genuine. voluntary and without any undue influence or coercion.

(VII) In the present case, challan/final report under Section 173 of Cr.P.C. has been presented and the charge against the accused persons is yet to be framed.

Complainant Pardeep Kumar and aggrieved person namely Govind Nagi have given no objection if the proceedings of FIR be quashed against the accused persons Lovedeep Singh chahal and Harbax Singh Chahal. It is further humbly submitted that cost of Rs.20,000/- each stands paid by accused persons in DLSA Ludhiana. Receipts placed on record. Report is accordingly submitted. Statements of the parties along with requisite documents are enclosed herewith for your kind perusal.”

6 Learned counsel for respondents No.2 and 3 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed. Costs stand paid.

7 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.

8 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.”

9 The Hon’ble Supreme Court has held in **Ram Gopal 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 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.

10 In **Jagdish Chanana Vs. State of Haryana, 2008 (15) SCC 704**, as the Hon’ble Supreme Court quashed the FIR under Sections 419, 420, 465, 468, 471 and 472 read with Section 34 of the Indian Penal Code, 1860, on the basis of compromise and observed that dispute is purely personal in nature involving no public policy.

11 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 Judicial Magistrate First Class, Ludhiana, that a compromise has been effected voluntarily between the parties restoring peace and harmony between them.

(ii) Petitioner No1 is 32 years old and petitioner No.2 is 34 years old and continuation of criminal proceedings would have a serious adverse impact on their future prospects, employment opportunities and social standing.

(iii) The FIR pertains to the year 2022 and already sufficient time has elapsed and proceedings have not progressed substantially indicating that the trial is likely to take considerable time to conclude.

(iv) Prolonged criminal litigation at this stage would serve no reformatory or deterrent purpose subjecting her to continued criminal prosecution would have a serious and irreversible adverse impact on his future prospects.

(v) There is nothing on record to suggest that the petitioner is habitual offenders or that her conduct poses any continuing threat to public order or societal interest.

(vi) In view of the compromise, the likelihood of conviction is remote, as the complainant is no longer inclined to support the prosecution version, rendering continuation of the proceedings a futile exercise and

(vii) The continuation of criminal proceedings, despite settlement, would amount to an abuse of the process of law and would result in unnecessary harassment of the parties and wastage of valuable judicial time.

12 In view of the report of the Judicial Magistrate First Class, Ludhiana and the principles laid down by the Hon'ble Apex Court on the

subject, the instant petition is allowed. FIR bearing No.33 dated 31.03.2022 under Section(s) 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Dugri, District Police Commissionerate Ludhiana, along with all subsequent proceedings arising therefrom is hereby quashed on the basis of compromise dated 21.01.2026 (Annexure P-2) entered between the parties.

13 Petition is allowed in above terms.

May 08, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE
Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*