



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

290

CRM-M-11446-2025
Date of decision: 15.01.2026

PARAMJIT SINGH AND ANOTHERPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - None for the petitioners.
Mr. Rituraj Singh, DAG, Punjab.
None for respondents No.2 to 5.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.0128 dated 14.12.2024 under Sections 106/281/324(2)/125(a) of the BNS, 2023 registered at Police Station Sadar Jalalabad, District Fazilka along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.01.2025 (Annexure P-2).
2. Briefly summarized, the facts of the case are that on 14.12.2024, the respondent No.2-complainant Jagmeet Singh had been going to attend the wedding of his aunt's daughter at Village Teja Ravela, Sadar

Police Station, Fazilka, along with his mother Santo Bai and niece Nimrat, on his motorcycle make Platina bearing registration number PB-61C-5071. At about 11:30 AM, when they reached near the bridge at the F-F Road, Dhani Sundarpura, village Maujewala, then an Alto car came in a rash and negligent manner from the link road Chirde side, and hit his motorcycle, due to which they fell on the road. In the meantime, a fast-moving tractor driver, who had been going from village Ghubaya to the Jalalabad side, came in a very rash and negligent manner, and trampled his mother Santo Bai in front of him. Santo Bai died on the spot, the complainant received a lot of injuries and the motorcycle was also damaged. Thereafter, the complainant came to know that the name of the Alto driver was Paramjit Singh, son of Balwant Singh, resident of Dhani Resham Singh, Village Chak Pali Wala and the name of the tractor driver was Gxxx, resident of Village Chak Tahli Wala. Hence, the present FIR was registered against the petitioners.

3. There is no representation on behalf of petitioners as well as the respondents No.2 to 5.

4. It is, however, averred in the petition that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved.

5. Pursuant to the order dated 14.10.2025, a report has been received from the Judicial Magistrate 1st Class, Jalalabad vide Memo No. 923 dated 03.12.2025. The relevant extract of the report reads thus:-

- “1. The compromise in this FIR between the parties seems genuine, voluntary and out of free will of the parties,*
- 2. Two accused persons were nominated in the FIR/Police*

report.

3. *Two accused persons and complainant have entered into compromise.*
4. *The compromise effected in this FIR is fully effected between accused and complainant. The challan in this case has not been presented till date. No remand papers is pending in this Court. No appeal is pending in the Appellate Court.*
6. *Statement of ASI Paramjeet Singh recorded to the effect that no other criminal case or proceedings is pending against the accused persons in this Court.”*

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 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 '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' **(2017) 9 SCC 641**' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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 Hon'ble Supreme Court has held in '**Ramgopal 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 the 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.

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 First Class, Jalalabad that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. That the petitioner No.2 is aged 14 years and as such he is a juvenile in the prime of his youth, while Petitioner No.1 is aged 75 years and continued incarceration in the criminal case would cause severe repercussions to the petitioners in the discharge of their social obligations.
- c. The FIR in question pertains to the year 2024 and therefore, the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquillity among parties;
- d. Continuation of the proceedings and forcing the parties to undergo the rigours of criminal proceedings is not likely to subserve any large public interest.

10. In view of the report submitted by the Judicial Magistrate First Class, Jalalabad 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.0128 dated 14.12.2024 under Sections 106/281/324(2)/125(a) of the BNS, 2023, registered at Police Station Sadar Jalalabad, District Fazilka, along with all subsequent proceedings arising therefrom, is **hereby quashed** in view of the compromise deed dated 13.01.2025 (Annexure P-2).

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 15, 2026
Vishal Sharma

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