



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

338

CRM-M-12152-2026

HONEY SHARMA

...PETITIONER

V/s

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Date of decision: 22.04.2026

Date of Uploading: 23.04.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Inderjit Sharma, Advocate for the petitioner.

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

Mr. Deepak Grover, Advocate for respondent No.2.

SUMEET GOEL, J. ORAL

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.0014 dated 01.10.2025 under Sections 126(2), 318(4), 79 and 351(2) of BNS read with Sections 66-C, 66-D and 67 of Information Technology Act, registered at Police Station Cyber Crime, District Gurdaspur, and all consequential proceedings arising therefrom on the basis of compromise dated 23.02.2026 (Annexure P-2), which is stated to have been effected between the parties.

2 On 07.03.2026, the following order was passed:

“By invoking Section 482 of Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner has prayed for quashing of FIR No.14 dated 01.10.2025 registered under Sections 126(2), 318(4), 79 & 351(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 66C, 66D & 67 of Information Technology Act, 2000



at Police Station Cyber Crime, District Gurdaspur (Annexure P-1) and all other subsequent proceedings arising thereof on the basis of compromise dated 23.02.2026 (Annexure P-2) arrived at between the parties.

Notice of motion.

Mr. Satnampreet Singh Chauhan, D.A.G., Punjab accepts notice on behalf of respondent No.1-State and seeks time to complete his instructions.

Mr. Karan Chaudhary, Advocate has put in appearance on behalf of respondent No.2 and filed his power of attorney in the Court which is taken on record. He admits the factum of compromise.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise on 23.03.2026.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed offender.*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.*
- 4. Whether the accused persons are involved in any other FIR or not.*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

Adjourned to 06.04.2026, for awaiting the report.”

3. Pursuant to the aforesaid order, report dated 25.03.2026 from Chief Judicial Magistrate, Gurdaspur, has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

Sr. No.	Information	Remarks
1.	Number of persons arrayed as accused in FIR.	There are only one accused i.e. petitioner namely Honey Sharma as accused in FIR.
2.	Whether any accused is proclaimed offender.	As per statement of IO/ASI Kamaldeep Sharma is not declared proclaimed offender.
3.	Whether the compromise is	Yes, as per the statements of the parties, the compromise is



	genuine, voluntary and without any coercion or undue influence.	genuine, voluntarily and without any coercion or undue influence.
4.	Whether the accused persons are involved in any other FIR or not.	As per statement of IO/ASI Kamaldeep Sharma no.934/Gsp, accused Honey Sharma is not involved in any other case/FIR.
5.	How many victims/complainants are there in the FIR as per the statement of Investigating Officer.	As per statement of IO/ASI Kamaldeep Sharma no.934/Gsp, except complainant/respondent no.2 Pratibha no other victim/complainant is involved in this FIR.

4. Learned counsel for respondent No.2 admits the factum of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioner is 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.0014 dated 01.10.2025 under Sections 126(2), 318(4), 79 and 351(2) of BNS read with Sections 66-C, 66-D and 67 of Information Technology Act, registered at Police Station Cyber Crime, District Gurdaspur, and all consequential proceedings arising therefrom on the basis of compromise dated 23.02.2026 (Annexure P-2), are, hereby, quashed.

10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

22.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No