

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026:PHHC:086148



CRM-M-13855-2026 (O&M).
Date of decision: 29.05.2026.

NARNIDER SINGH DHALIWAL @ NEETA

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present :- Mr. Tejveer Singh Saggu, Advocate,
for the petitioners.

Ms. Alisha Soni, AAG, Punjab.

Mr. Anmoldeep Singh, Advocate,
for respondent No.2.

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.66 dated
25.05.2017 under Section(s) 323, 341, 148 and 149 of the Indian Penal Code,
1860, (Sections 325 and 34 IPC added later on) registered at Police Station
Nihal Sing Wala, District Moga, Punjab, along with all subsequent

proceedings arising therefrom on the basis of compromise dated 20.12.2025 (Annexure P-5).

2 Briefly summarised, aforesaid FIR was registered on the statement of Jagraj Singh son of Bakshish Singh. The translated version of the same is reproduced as under: -

“Statement of Jagraj Singh son of Bakshish Singh son of Rattan Singh Caste Jat Sikh, resident of Takhtupura, aged 60 years, Mobile 98721-85860 stated that I am resident of village Takhtupura and has retired from Army There is a dispute going on with my brother regarding electric motor connection. I have also filed a case regarding this in the court. On 24.05.2017, I and my son namely Jagdip Singh were going to our fields for irrigation and when reached near our field through Kacha Path at about 6.30 PM, Three Motorcycles came with high speed from the village side, who have stopped us and encircled us and my brother who was armed with hoe (Kasoli), my nephew Pardeep Singh armed with chopper (Gandasa) and another nephew armed with dah (small sword), Narinder Singh S/O Amarjit Singh armed with wooden stick (Dang), LOvedeep Singh S/O Ajmer Singh armed with wooden stick (Dang) alongwith 2 unknown person having wooden sticks (Dang) residents of Village Takhtupura came there. My brother Baljit Singh raised a Lalkara and said that catch hold of him and teach him a lesson for not withdrawing the case of motor on which Baljit Singh gave hoe (Kasoli) blow towards me and I raised my right hand to save me, then the same hit me on my right hand. Pardeep Singh gave Chopper (Gandassa) blow which hit on my head then Hardeep Singh gave Dah blow, which hit my right leg and Narinder Singh gave a Dang blow which hit on my left shoulder then Lovedeep Singh gave a Dang blow, which hit on my forehead. Then unknown person gave a Dang blow, which hit on my left leg and

other unidentified person also gave Dang blows to me. I and my son Jagdip Singh raised raula Marta-Marta and all the abovesaid persons fled way from the spot alongwith their respective weapons on the Motorcycles. The motive behind the occurrence is that a case regarding the dispute of partition of Motor connection is pending in the court and my brother Baljit Singh wants that I should withdraw the case filed against him, but did not agree and on as such they have conspired with each other caused injuries to us. Thereafter my son Jagdip Singh arranged the vehicle has got me admitted in the Hospital at Nihal Singh Wala. Action be taken against them. I have got recorded my statement, I have heard the same which is correct. Sd/ Jagraj Singh.”

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 16.03.2026 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, report has been received from the Sub Divisional Judicial Magistrate, Nihal Singh Wala, District Moga, vide Memo No.505 dated 13.05.2026. The relevant extract of the report is reproduced as under:-

“5. In compliance of the said order of Hon'ble Punjab & Haryana High Court, the detailed report as desired is submitted as under:-

1. From the statements of the parties as well as statement of SI Pritam Singh, No. 513/Moga and from the judicial record, it is

evident that the present FIR was initially registered against five persons namely Baljit Singh son of Bakhshish Singh, Pardeep Singh son of Baljit Singh, Hardeep Singh son of Baljit Singh, Narinder Singh son of Amarjit Singh, Lovedeep Singh son of Ajmer Singh and two unknown persons, however, later on, persons namely Pardeep Singh, Hardeep Singh, Narinder Singh and Baljit Singh were found involved as accused in the present dispute/FIR.

2. From the statement of SI Pritam and from the judicial record, it is evident that except complainant Jagraj Singh. there is no other victim(s)/complainant in the present FIR.

3. From the statements of the parties, it is evident that only accused Baljit Singh and Narinder Singh Dhaliwal (@ Neeta and complainant Jagraj Singh are parties to the compromise dated 20.12.2025 annexed with the present papers and the said compromise has been signed by accused Baljit Singh and complainant Jagraj Singh but the same has not been signed by Narinder Singh Dhaliwal a Neeta.

4. From the statements of the parties as well as statement of SI Pritam Singh, No. 513/Moga and from the judicial record, it is evident that accused Pardeep Singh, Hardeep Singh, Lovedeep Singh and Baljit Singh are not the party to the quashing petition before the Hon'ble Punjab & Haryana High Court, Chandigarh. However, it is submitted that as per the statements of parties, accused Baljit Singh. Hardeep Singh and Lovedeep Singh have already been acquitted by the Learned Appellate Court, Moga vide its judgment dated 24.01.2023 from the said FIR and juvenile Pardeep Singh has already been directed to be released on probation by the Court of the then Ld. Principal Judge. Juvenile Justice Board, Moga vide its judgment dated 09.08.2018.

5. From the statements of the parties as well as statement of SI Pritam Singh, No. 513/Moga, it is evident that accused Narinder Singh Dhaliwal @ Neeta was declared as proclaimed person in the present case vide order dated 25.07.2018 but the said proclaimed person order has been set aside by the Hon'ble Punjab & Haryana High Court, Chandigarh vide order dated 25.02.2026 passed in petition bearing no. CRM-M-73632-2025 and the said accused has already furnished bail/surety bonds in compliance of the above referred order before the Court of the undersigned.

6. From the statements of the parties as well as statement of SI Pritam Singh, No. 513/Moga and from the judicial record, it is evident that except the above named accused persons, no other person is arrayed as accused in the present case.

7. From the statement of parties, it is evident that the compromise between the parties is genuine, voluntary. without any coercion and undue influence and is made out of free will of the parties”

6 Learned counsel for respondent No.2 reiterates factum of the settlement and conveys his concurrence to the quashing of FIR and all the other consequential proceedings arising therefrom. 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 noncompoundable.

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 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) The dispute giving rise to the FIR is purely familial and private in nature, emanating from a dispute concerning the partition of electric motor connection and inter se differences within the family and does not involve any offence having a serious impact on society at large.
- (ii) The parties have amicably resolved their disputes, and the compromise has been effected voluntarily, without any coercion, pressure or undue influence, thereby restoring peace and harmony within the family.
- (iii) The allegations pertain to an isolated incident arising out of domestic discord and do not disclose any element of heinousness or brutality so as to shock the collective conscience of society.
- (iv) Petitioner is a young man aged 29 years and continuation of criminal proceedings would cause disproportionate prejudice to his personal, professional and social standing.
- (v) There is nothing on record to suggest that the petitioner is a habitual offender or that his 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.
- (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.

10 In view of the report of the Sub Divisional Judicial Magistrate, Nihal Singh Wala, District Moga and the principles laid down by the Apex Court in '*Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641', the instant petition is allowed. FIR bearing No.66 dated 25.05.2017 under Section(s) 323, 341, 148 and 149 of the Indian Penal Code, 1860, (Sections 325 and 34 IPC added later on) registered at Police Station Nihal Sing Wala, District Moga, Punjab, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 20.12.2025 (Annexure P-5) entered between the parties. However, the same would be subject to deposit of costs of Rs.15,000/- to be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh, within a period of two months of the receipt of a certified copy of this order.

11 Petition is allowed in above terms.

May 29, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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