



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

280

CRM-M-15984-2025 (O&M)

Date of decision: 05.02.2026

Kuldeep Singh and others

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Kushager Mahajan, Advocate for the petitioner(s).

Mr. Onkar Singh Wahla, Sr. DAG Haryana.

Ms. Pallavi Babbar, Advocate for respondent No.2.

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**VINOD S. BHARDWAJ, J. (Oral)**

**CRM-23608-2025**

Application is allowed as prayed for subject to all just exceptions. Photocopy of order dated 02.05.2025 (Annexure P-3) passed by Additional Chief Judicial Magistrate, Sirsa is taken on record.

**Main case:**

1. This is a petition filed for quashing of FIR No. 117, dated 16.03.2022, registered under Sections 147, 149, 323 and 325 of the Indian Penal Code, 1860 (offence under Sections 34 and 341 of IPC added later on and Sections 147 and 149 deleted later on), Police Station Sirsa Sadar, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 05.03.2025 (Annexure P-2).

2. Briefly stated, the FIR in the present case came to be registered on the complaint lodged by Charan Singh. As per the allegations contained therein, on 11.03.2022, the complainant was transporting straw from Village Nagoki to his native Village Chak Sahiba. Upon reaching near the residence of one Makhal Singh in Village Chak Sahiba, he was obstructed by certain villagers who were playing badminton on the road. It is stated that the said persons stopped him and thereafter assaulted him. The complainant further stated that upon hearing his cries, his wife rushed to the spot to rescue him; however, she too was assaulted by the accused persons with slaps and fist blows. It is stated that when other villagers arrived at the scene, the assailants fled from the spot.

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 24.03.2025 and subsequent order passed by 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 Additional Chief Judicial Magistrate, Sirsa vide Memo No. 121 dated 20.01.2026. The relevant extract of the report is reproduced as under:-

*“ 1. As per FIR Charan Singh son of Surjan Singh is cited as complainant and 1. Kuldeep Singh soon of Dulara Singh, 2. Kulwinder Singh son of Harnam Singh, 3. Vikram Singh son of Satpal, 4. Navdeep Singh son of Gurcharan Singh are arrayed as accused persons.*

2. *Complainant/aggrieved Charan Singh son of Surjan Singh and above mentioned accused persons appeared and made their respective statement in support of compromise.*
3. *None of the accused person is declared as proclaimed offender.*
4. *Compromise effected between the parties is genuine, voluntary and at their free will.*
5. *As per statement of investigating officer as well as affidavits furnished by accused persons, they have no criminal antecedents. No case is pending against them except the present case.”*

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. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed and affirmed during statement before the trial Court.

8. The Hon’ble Supreme Court in the case of ***Yogendra Yadav & Others v. State of Jharkhand & Another*** reported as ***(2014) 9 SCC 653*** has held that although non-compoundable offences under Section 320 Cr.P.C. cannot be formally compounded, the High Court can still quash such criminal proceedings in appropriate cases by exercising its inherent powers under Section 482 Cr.P.C., if the parties have genuinely and voluntarily settled their dispute. The Court has held that this power must be exercised on a case-to-case basis. Serious and heinous offences affecting society at large, such as rape or murder, cannot be quashed on the basis of compromise.

However, where the dispute is purely personal, does not affect public peace, the victim has no objection, and continuation of proceedings would serve no useful purpose, the High Court may quash the case to secure the ends of justice and avoid unnecessary waste of judicial time. The relevant extract thereof reads as thus :

*4. Now, the question before this Court is whether this Court can compound the offences under Sections 326 and 307 of the IPC which are non-compoundable. Needless to say that offences which are non-compoundable cannot be compounded by the court. Courts draw the power of compounding offences from Section 320 of the Code. The said provision has to be strictly followed (Gian Singh v. State of Punjab, 2012(4) RCR (Criminal) 543 : 2012(4) Recent Apex Judgments (R.A.J.) 549 : (2012)10 SCC 303). However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable. In which cases the High Court can exercise its discretion to quash the proceedings will depend on facts and circumstances of each case. Offences which involve moral turpitude, grave offences like rape, murder etc. cannot be effaced by quashing the proceedings because that will have harmful effect on the*

*society. Such offences cannot be said to be restricted to two individuals or two groups. If such offences are quashed, it may send wrong signal to the society. However, when the High Court is convinced that the offences are entirely personal in nature and, therefore, do not affect public peace or tranquillity and where it feels that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice, it should not hesitate to quash them. In such cases, the prosecution becomes a lame prosecution. Pursuing such a lame prosecution would be waste of time and energy. That will also unsettle the compromise and obstruct restoration of peace.*

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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *The incident appears to have arisen out of a spontaneous altercation within the village between known individuals. The genesis of the occurrence does not indicate premeditated criminal design but rather a sudden quarrel in a localized setting.*
- ii) *Petitioners are of 35, 55, 34 and 24 years of age and continued criminal incarceration will cause severe repercussions to the petitioner in discharge of his social*

*obligations as well as in his work place.*

- 3) *The FIR in question pertains to the year 2022 and the proceedings are at an early stage.*
- iv) *The complainant and the accused persons have resolved their differences voluntarily and restored cordial relations within the village community, the continuation of criminal proceedings may serve no fruitful purpose.*
- v) *Given that the parties belong to the same village, prolongation of criminal proceedings may aggravate tensions and disturb local harmony.*
- vi) *Since, the accused persons are not habitual offenders and have no prior criminal history, and the incident is isolated in nature, a pragmatic approach may be adopted.*
- 7) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;*
- 8) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile expenditure of judicial time.*

12. In view of the report of the Additional Chief Judicial Magistrate, Sirsa and the principles laid down by the Apex Court in the matter of ***Yogendra Yadav & others*** (supra), the instant petition is allowed.

FIR No. 117, dated 16.03.2022, registered under Sections 147, 149, 323 and

325 of the Indian Penal Code, 1860 (offence under Sections 34 and 341 of IPC added later on and Sections 147 and 149 deleted later on), Police Station Sirsa Sadar, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise deed dated 20.01.2025 (Annexure P-2), subject to payment of costs of Rs.7,500/- to be deposited by each petitioner with the Red Cross Old Age Home, Account No.50100286016319, IFSC Code: HDFC0004030, HDFC Bank Sector-15, Panchkula within a period of two month(s) from receipt of a certified copy of this order.

13. Petition is ***allowed*** in terms as above.

(VINOD S. BHARDWAJ)  
JUDGE

05.02.2026

Mangal Singh

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