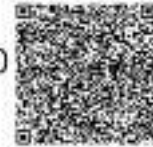


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

268

2026:PHHC:070700



CRM-M-15875-2026 (O&M).
Date of decision: 04.05.2026.

SAHIL

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present :- Mr. Shubham Goyal, Advocate,
for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mr. Piyush Setia, Advocate,
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing of case bearing FIR No.13
dated 12.01.2026 under Section(s) 281, 125(a), 125(b) and 324 of the
Bharatiya Nyaya Sanhita, 2023, (Corresponding Sections 279, 336, 337, 338
and 425 of the Indian Penal Code, 1860), registered at Police Station Cantt.

Jalandhar, along with all subsequent proceedings arising therefrom on the basis of compromise dated 07.02.2026 (Annexure P-2).

2 The facts of the present case, in brief, are that the aforesaid FIR was registered on the statement of Rohan Sahota son of Late Charanjit Sahota, resident of Old Colony, Village Bambiawal, Police Station Sadar, District Jalandhar. As per the allegations levelled in the complaint, on 10.01.2026, the complainant was travelling on a motorcycle bearing registration No. PB08-BP-0473, make Splendor, black in colour, along with his friend Gaurav son of Baljinder alias Nikki, resident of Village Bambiawal and one Sharanjit alias Shanu, son of Kuldeep, resident of Village Chanania, District Jalandhar. The motorcycle was being driven by Gaurav, while the complainant was seated in the middle and Sharanjit alias Shanu was seated on the rear seat. It was alleged that at about 07:30 PM, when they reached near the turn at Nangal Karar Kha and the motorcycle was being turned back towards Village Bambiawal from a road cut, a car without a registration number plate came from the side of GNA Chowk at a high speed and struck against their motorcycle without blowing any horn. Owing to the impact of the collision, all three occupants, along with the motorcycle, fell upon the road and sustained injuries, while the motorcycle was extensively damaged. It was further alleged that passers-by arranged a vehicle and shifted the injured persons to PIMS Hospital, Navi Baradari, Jalandhar. The complainant thereafter got himself admitted to the Civil Hospital, Jalandhar for treatment. It was further stated that Sharanjit alias Shanu had sustained more grievous injuries and was referred to Guru Nanak Hospital, Amritsar, whereas Gaurav was admitted to Sri Ram Hospital, Jalandhar by his family members. The complainant further alleged that he

later came to know that the offending vehicle was being driven by Sahil, son of Vidya Sagar, resident of Village Bath Kalan, District Jalandhar, against whom legal action was sought.

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 24.03.2026 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, Jalandhar, vide Memo No.174 dated 21.04.2026. The relevant extract of the report is reproduced as under: -

“8. After perusing all the statements got recorded by the parties and Investigation officer, the following report on the points desired by Hon'ble High Court is submitted as under:

1) As per the record, the present FIR No.13 dated 12.01.2026, under Section 281, 125(a), 125(b), 324 BNS P.S. Cantt, Jalandhar was registered against accused Sahil. Only one accused i.e. Sahil is involved in the present FIR/dispute.

2) There are three complainant/victims in present FIR namely Rohan Sahota, Gaurav and Sharanjit.

3) It is submitted that accused Sahil and complainant/victims namely Rohan Sahota, Gaurav and Sharanjit are party to the compromise. Sahil, Rohan Sahota, Gaurav have signed the compromise i.e. Ex.P1. Kuldeep Kumar i.e. father of Sharanjit has signed the compromise on behalf of Sharanjit.

4) *As per the record, all the affected persons have approached the Hon'ble High Court and are party to the quashing petition.*

5) *The accused Sahil has not been declared proclaimed offender/person in the present case and no such proceedings have been initiated or pending against him.*

6) *As per statements of the parties, the compromise is genuine, voluntary and without any coercion or undue influence.*

7) *As per the statement of Investigating Officer, accused/petitioner namely Sahil is not involved in any other case.”*

6 Learned counsel for respondents No.2 to 4 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

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 In **Mrs. Shakuntala Sawhney Vs. Mrs. Kaushalya Sawhney and others, reported as (1980) 1 SCC 63**, Hon’ble Krishna Iyer J. aptly summed

up the essence of compromise in the following words: -

“the finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship of reunion.”

10 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 the Judicial Magistrate First Class, Jalandhar, that a compromise has been effected voluntarily between the parties restoring peace and harmony between them.
- (ii) The petitioner is aged 46 years and continuation of criminal proceedings would have a serious adverse impact on his future prospects, employment opportunities and social standing.
- (iii) The occurrence does not reflect any deep-rooted criminal intent or continuing threat to society.
- (iv) The FIR pertains to the year 2023 and already sufficient time has elapsed and proceedings have not progressed substantially, indicating that the trial is likely to take considerable time to conclude.
- (v) The offences alleged, though not to be condoned, cannot be categorised as heinous or of such a nature that they shock the conscience of society or warrant continuation of prosecution despite settlement.
- (vi) There is nothing on record to suggest that the petitioner is habitual offender or that his conduct poses any continuing

threat to public order or societal interest.

(vii) In view of the compromise, the complainant is unlikely to support the case of the prosecution, thereby rendering the possibility of conviction remote.

(viii) Continuation of the criminal proceedings in such circumstances would not serve any larger public interest and would result in unnecessary harassment to the parties.

(ix) The ends of justice would be better served by putting an end to the proceedings rather than allowing them to continue as an exercise in futility, leading to wastage of precious judicial time.

11 In view of the report of the Judicial Magistrate First Class, Jalandhar, and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. FIR No.13 dated 12.01.2026 under Section(s) 281, 125(a), 125(b) and 324 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Cantt. Jalandhar, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 07.02.2026 (Annexure P-2) entered between the parties.

12 Petition is allowed in above terms.

May 04, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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