



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

277

CRM-M-15986-2025 (O&M)

Date of decision: 21.01.2026

Pritam Singh and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Ms. Kashish Mehta, Advocate for
Mr. J.S. Dadwal, Advocate for the petitioners.

Mr. Saurav Verma, Addl. A.G., Punjab.

Ms. Kamaldeep Kaur, Advocate for
Mr. D.S. Gandhi, Advocate for respondents No. 2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the instant petition is for quashing of FIR No.0034 dated 28.04.2024 under Sections 452, 307, 324, 323, 506, 160, 148, 149 of the IPC (Section 326 of the IPC added later on) registered at Police Station Daba, District Ludhiana, along with all consequential proceedings arising therefrom on the basis of compromise dated 18.01.2025 (Annexure P-2).

2. Briefly stated, the prosecution case is that complainant-Gurpreet Singh runs a hosiery business and has a hosiery factory situated near his house. On 27.04.2024, he along with his employee Baljeet Singh, son of Malkeet Singh, were going to D-Mart to get household goods in his car. While driving, two people came on a motorcycle and hit the bumper of his car. Thereafter, they started abusing him. The person sitting on the backside of the motorcycle stated his name to be Pritam. After that the complainant returned with his belongings but found that the motorcyclists



and some other persons armed with kirpans, daah (sickle) and rods had attacked his brother inside his house. The aforementioned Pritam Singh attacked the complainant's brother, Manpreet Singh with a Kirpan with an intention to kill him. The complainant and Baljeet Singh entered the house to defend and at that time Pritam Singh told Harman and Jasdeep that they were the ones who had told them to ride motorcycle with care, today they have to be taught a lesson. These persons attacked the complainant several times and Harman and Jaspeet gave blows on the left arm of the brother of the complainant with *Dasti Daat* and caused several injuries. Pritam Singh gave a blow with Kirpan on the head of the complainant with the intention to kill. Other unknown persons also inflicted several injuries to the complainant, Manpreet and Baljeet Singh. When the mother of the complainant came down from upstairs to save them, then Pritam Singh aggressively threatened her to keep quiet or she will also be taught a lesson. Then he told Sagar to leave Gurpreet and teach Baljeet a lesson, on which Sagar gave a blow with *Dasti Daat* to Baljeet which hit him on his left arm. After the hearing hue and cry, people from the streets started gathering. On seeing them, the accused persons ran away from the spot with their weapons after threatening to kill the victims. After arranging a vehicle, they were taken to the hospital for treatment. Manpreet Singh and Baljeet Singh were admitted to Civil Hospital Ludhiana. The complainant was admitted to DMC Hospital. Thereafter Manpreet Singh and Baljeet Singh were referred from Civil Hospital Ludhiana to DMC and were given treatment there. On these assertions, a request was made to take strict legal action against Pritam



Singh, Harman Singh, Jasdeep Singh, Sagar and other 15/16 unknown person.

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 10.07.2025 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 learned Additional Sessions Judge, Ludhiana vide Memo No. 286 dated 06.09.2025. The relevant extract of the report is reproduced as under:-

“i). Name of Complainant is Gurpreet Singh and name of accused are Accused Pritam Singh, Harman Singh, Jasdeep Singh, Sujal Kumar, Ramesh Kumar and Pritpal Singh. In present FIR Complainant as well as injured eye witness and all accused have suffered separate similar statements that compromise has been effected between them.

(ii) Complainant, injured eye witness as well as Investigating Officer have deposed that none of the accused had been declared proclaimed offender.

(iii) Report under Section 173 Cr.P.C. has been filed in FIR no.34 dated 28.04.2024 only against Harnam Singh son of Pritam Singh. Trial is pending for arguments on point of charge for 30.09.2025.



(iv) *In view of the statements suffered by Complainant and both injured/eye witnesses as well as accused persons it is apparent that compromise between the parties is genuine, voluntarily and out of free will as they have deposed that they had entered into said compromise without any pressure voluntarily and out of their free will to ensure that peace prevails between them in coming future and Complainant party is left with no grudge against accused party.*

(v) *Investigating Officer ASI Surinder Kumar has got recorded statement that none of the present accused in present FIR has any criminal antecedents. All accused Pritam Singh, Harman Singh, Jasdeep Singh, Sujal Kumar, Ramesh Kumar and Pritpal Singh have stated that except the present FIR no other FIR is pending or registered against them.*

Accordingly it is submitted that Compromise has been effected between parties and they have entered in genuine Compromise voluntarily and out of free will the report is being submitted alongwith the statements of parties as well as statement of Investigating Officer recorded by the court.”

6. Learned counsel appearing on behalf of respondents No. 2 to 4 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed.

7. Learned Counsel appearing on behalf of petitioners contends that the injuries attributed to the accused, are not shown to be sufficient in



the ordinary course of nature to cause death, nor is there any material to suggest that the alleged acts were committed with such premeditation or brutality as would unmistakably evince an intention to kill. The occurrence appears to have arisen out of a sudden quarrel between the parties, without any prior enmity or design, and the role attributed to the petitioners, does not transcend beyond a personal dispute that escalated momentarily. The offence under Section 307 has been added because of the intention and there is no medical opinion to hold that the injury was dangerous to life

8. Learned State counsel, does not dispute the legal position so advanced. He does not dispute that in absence of a medical opinion; the offence would, at most, fall under Section 326, IPC (Voluntarily causing Grievous Hurt by dangerous weapons or means). The offence cannot be stated to have a grave impact on the society and to warrant denying relief. He also 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.

9. The Hon'ble Supreme Court in the matter of ***Naushey Ali and Others v State of UP and Anr.*** , arising out of SLP Criminal No. 3432 of 2023 decided on 11.02.2025 ruled that a non compoundable offence under Section 307 IPC can be quashed on basis of compromise if the facts do not support the charge thus laying that a mere mention of the offence in an FIR does not bar quashment.

10. The broad principles for exercising the powers under Section 482 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.”

11. 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.

12. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

13. 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 pertains to the year 2024 and the alleged act occurred more than a year ago.*
- ii) *Petitioner(s) no. 1,5,6 are of 51, 51 and 52 years of age respectively and continued criminal incarceration will cause severe repercussions to the petitioners in discharge of their social obligations as well as in his work place.*
- iii) *Petitioner(s) no. 2, 3 and 4 are young boys in their 20s with a long career ahead and continued criminal incarceration will affect their future prospects.*
- iv) *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;*
- v) *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.

vi) *The parties have voluntarily entered into an amicable settlement, and the compromise deed is duly placed on record, reflecting that the complainant has chosen to put the dispute to rest.*

vii) *The dispute has lost its adversarial character and the continuation of proceedings would serve no meaningful purpose.*

14. In view of the report of the Additional Sessions Judge, Ludhiana and the principles laid down by the Apex Court in '**Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641', the instant petition is allowed. FIR No.0034 dated 28.04.2024 under Sections 452, 307, 324, 323, 506, 160, 148, 149 of the IPC (Section 326 of the IPC added lateron) registered at Police Station Daba, District Ludhiana, along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise dated 18.01.2025 (Annexure P-2).

15. Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

21.01.2026

Mangal Singh

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