

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

256

2026:PHHC:055593



CRM-M-73765-2025 (O&M).
Date of decision: 16.04.2026.

HARVINDER SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present :- Mr. Shivaly Singla, Advocate,
for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

Ms. Neha Rani, 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 case bearing FIR No.10
dated 29.01.2013 under Section(s) 419, 420, 465, 467, 468, 471 and 120-B of
the Indian Penal Code, 1860, (Section 120-B IPC later on deleted), registered
at Police Station City Kharar, District S.A.S. Nagar, along with all subsequent
proceedings arising therefrom on the basis of compromise dated 17.11.2025

(Annexure P-3).

2 The aforesaid FIR was registered on the complaint of Jaswant Singh @ Bant Singh which reads as under: -

“Respected Sir, it is requested that 1. my ancestors Sh. Karamchand s/o Atami s/o Goapala and Hans s/o Sh. Atami s/o Goapala and Ronki s/o Gopala are having ownership and possession of ancestral property bearing Khewat no. 313 Khatuni no. 349 and Khasra no. 6//11/2(1-0)12/5(0-11)13/3(0-4)20/4(0-08) Killa 04 Tyadid 2 Kanal 3 Marla's ½ part is located in village Jandpur Hadbast No. 28 Tehsil & District Mohali. 2. The above mentioned persons were our old elders. In regard to the above property, on 16-6-11, wrongdoers have in collusion with the employees of Revenue Department registered a Power of Attorney Vasika no. 593 Book no.4 on the name of Harvinder Singh s/o Gurnam Singh s/o Bacchan Singh r/o randhawa road Kharar at the office of Sub Registrar Kharar and thereafter with regard to the aforesaid property, the power of attorney holder Harvinder Singh has registered a sale agreement vasika no. 5703 book no. 01 dated 18-8-11 in favor of one Rajinder Singh s/o Amarjit Singh r/o Village Kandala District SAS Nagar at the office of Sub Registrar Kharar. 3. That the aforesaid Harwinder Singh and Rajinder Singh have in collusion with the Revenue Department employee particularly Patwari Randhir Singh, these wrong-doers have tried to grab our ancestral property. Because the power of attorney registered in the name of Harvinder Singh has been witnessed by Narinder Singh Advocate instead of the village Numberdar, ignoring the instructions of the government, which is completely wrong. Because only the village Numberdar can correctly identify the real owner. Apart from this, the address of the owner in the power of attorney is written as Morinda instead of village Jandpur and the identification proofs required by the government for the registration of the vasika are also not complete, out of which only one person's identification proof has been attached. In it, only the side with the name and paternity of the person has been photocopied and the side with the address has not been photocopied. 4. I have contacted Halqa Patwari

Randhir Singh to get a copy of concerned Jamabandi Record, but the Patwari did not issue the Jamabandi of the above said property owned by my elders and the copy of the jamabandi was issued to the said wrong-doers without any objection. From which it is clear that the starting of the whole case was done by Patwari Randhir Singh because he had full knowledge about the death of the owner of the property who has registered the said document together with the concerned wrongdoers. 5. That the said land falls in the area of Khasra Number of Sunny Enclave where commercial and residential plots are made where at present the price of one acre of the land is more than 4 crores. Therefore, Patwari Randhir Singh, in collaboration with the Revenue Department employees, has prepared this fake document and has sold our land worth Rs.21 lakh 50 thousand to Rajinder Singh son of Amarjit Singh, resident of village Kandala. The power of attorney has been written from Mangal Sain, Vasika Navis, Morinda. Whose stamp has been imposed on the power of attorney. And the registration has been done in Tehsil Kharar. Before this, a case of bribery is proceeding against the Patwari Randhir Singh who has been caught on the spot by the Vigilance in regard to taking bribe of Rs. 25000 from a resident of village Bakarpur. After this, the aforesaid Rajinder Singh had first dealt with the aforesaid land registry for Twenty one lakh & fifty thousand rupees. When there was dispute about the wrong registration, then Rajinder Singh sold the registry of this raqba to Sukhwinder Kaur w/o Ajmer Singh D/o Babu Singh R/o Village Fatehulla Pur Tehsil Kharar for rupees 4 lakhs and 75 thousand. Therefore, it is requested that the above Registries should be cancelled, this power of attorney which is fake one should also be cancelled and strict action be taken against the accused persons.”

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/Illaqa Magistrate vide order dated 08.01.2026 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 Sub Divisional Judicial Magistrate, Kharar, vide Memo No.167 dated 10.04.2026. The relevant extract of the report is reproduced as under: -

“It is, accordingly, submitted on the basis of statement given by Investigating Officer that: -

- 1. Only one accused namely Harwinder Singh was found involved as accused in this FIR,*
- 2. There is only one complainant/victim namely Jaswant Singh @Bant Singh.*
- 3. The sole accused and the sole complainant/victim, both are party to the compromise and signed the same.*
- 4. No affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before Hon'ble High Court.*
- 5. There is only one accused and he has not been declared as proclaimed offender/person nor any such proceedings against him have been initiated or pending adjudication.*
- 6. The compromise entered between the parties is genuine, voluntary, without any coercion or undue influence.*
- 7. There is no other aspect relevant to the present case.”*

6 Learned counsel for respondent No.2 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed.. 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 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 the case of **Madan Mohan Abbot Vs. State of Punjab (2008) 4 SCC 582**, FIR was quashed on the basis of compromise stating that no useful purpose would be served in continuing with the proceedings in light of compromise.

10 In **Nikhil Merchant Vs. CBI, 2008 (4) RCR (Criminal) 102**, Court took note of the settlement arrived at between the parties and quashed the criminal proceedings for offences punishable under Sections 420, 467, 468, 471 read with Section 120-B of the Indian Penal Code, 1860 and held that since criminal proceedings had the overtone of civil dispute which had been amicably settled between the parties, it was a fit case for quashing.

11 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 between the parties has been amicably resolved, and a voluntary compromise has been effected, restoring peace and harmony between them.

(ii) The petitioner is an aged person i.e. 69 years old and

continuation of criminal proceedings would have an adverse impact on his social standing and health.

(iii)The occurrence does not reflect any deep-rooted criminal intent or continuing threat to society.

(iv)The FIR pertains to the year 2013 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.

12 In view of the report of the Sub Divisional Judicial Magistrate, Kharar, and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. FIR bearing No.10 dated 29.01.2013 under Section(s) 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, (Section 120-B IPC later on deleted), registered at Police Station City Kharar, District S.A.S. Nagar, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 17.11.2025 (Annexure P-3) entered between the parties.

13 Petition is allowed in above terms.

April 16, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No