

2026:PHHC:077854



272

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-16931-2026 (O&M)
DECIDED ON: 18.05.2026**

MORDHWAJ YADAV

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Vimal Kumar Gupta, Advocate for the petitioner.

Mr. Viney Saini, AAG, Haryana.

Ms. Palkin Bhardwaj, Advocate for respondent No.2.

MANDEEP PANNU, J (ORAL)

1. This is a petition under Section 528 B.N.S.S. (Section 482 Cr.P.C) for quashing of the F.I.R No. 39 dated 02.02.2019 under Sections 201, 506 and 509 of IPC, (Sections 238, 351(2) and 79 of BNS, 2023) (Section 201 IPC/238 BNS added later on) got registered at Police Station Kherki Daula, District Gurugram (Annexure P-1) and all the subsequent proceedings arising there from, on account of Compromise dated 12.03.2026 (Annexure P-2).

2. During the pendency of the dispute, the parties have compromised the matter and filed the present petition for quashing of FIR.

3. Vide order dated 30.03.2026, parties were directed to appear before the Illaqa Magistrate/Trial Court and report with regard to the genuineness of the compromise was called for.

4. The report dated 05.05.2026 has been received from Judicial Magistrate Ist Class, Gurugram stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

5. Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“29. The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in noncompoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.

30. The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. has no limits. However, the High Court will exercise it sparingly and with utmost care and caution. The exercise of power has to be with circumspection and restraint. The Court is a vital and an extra-ordinary effective instrument to maintain and control social order. The Courts play role of paramount importance in achieving peace, harmony and

ever- lasting congeniality in society. Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.”

6. In '**Gian Singh Versus State of Punjab and another,(2012) 10 SCC 303'**, the Hon'ble Supreme Court held that the inherent powers of the High Court under Section 482 Cr.P.C. can be exercised for quashing criminal proceedings or FIRs even in respect of non-compoundable offences if the dispute between the parties is essentially private and personal in nature and the compromise arrived at between them is genuine. It was further held that such power is to be exercised to secure the ends of justice or to prevent abuse of the process of the Court. However, the Court clarified that heinous and serious offences having grave impact on society, such as murder, rape, dacoity and offences under special statutes, ordinarily should not be quashed merely on the basis of compromise between the parties. The Supreme Court further observed that criminal cases arising out of matrimonial disputes, family disputes, commercial transactions and similar matters having overwhelmingly civil flavour may appropriately be quashed if continuation of proceedings would serve no useful purpose.

7. In the present case also, this Court is of the considered view that the FIR in question deserves to be quashed as continuation of the criminal proceedings would serve no useful purpose in view of the compromise effected between the parties. The compromise arrived at between the parties has been found to be genuine, voluntary and without any coercion or undue

influence. The dispute appears to be personal in nature and does not involve any heinous offence having serious impact upon society at large. Since the parties have resolved their disputes amicably and do not wish to pursue the matter any further, the possibility of conviction of the petitioner is remote and bleak. Therefore, in order to secure the ends of justice and to prevent abuse of the process of law, this Court deems it appropriate to exercise its inherent jurisdiction for quashing the FIR and all consequential proceedings arising therefrom.

8. In view of above, F.I.R No. 39 dated 02.02.2019 under Sections 201, 506 and 509 of IPC, (Sections 238, 351(2) and 79 of BNS, 2023) (Section 201 IPC/238 BNS added later on) got registered at Police Station Kherki Daula, District Gurugram (Annexure P-1) and all the subsequent proceedings arising there from, is quashed qua the petitioner, on the basis of Compromise dated 12.03.2026 (Annexure P-2).

9. The present petition is hereby allowed.

10. All pending miscellaneous application(s), if any, stands disposed of.

18.05.2026

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(MANDEEP PANNU)
JUDGE