

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

265

2026:PHHC:061579



CRM-M-25830-2024 (O&M).
Date of decision: 22.04.2026.

HARJINDER SINGH @ BHOLA

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present :- Mr. Abhishek Singla, Advocate, and
Mr. Shubham Gupta, Advocate
for the petitioner(s).

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

Mr. Chandan Sharma, Advocate, and
Mr. Varun Gupta, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure 1973, is for seeking quashing of FIR bearing No.0045 dated 06.04.2024 under Section(s) 306 of the Indian Penal Code, 1860, registered at Police Station Nehianwala, District Bathinda, along with all

subsequent proceedings arising therefrom on the basis of compromise dated 19.04.2024 (Annexure P-3).

2 The aforesaid FIR was registered on the statement of Manpreet Singh son of Wakil Singh, resident of Village Dan Singh Wala. The translated version of the same reads as under: -

“Declaration Manpreet Singh son of Wakil Singh son of Joginder Singh, resident of village Dan Singh Wala, aged about 21-22 years, Mobile No 62809-57419, stated that I am a resident of the said address. I did my +2 in 2021. Mr. Yadwinder Singh S/o Bhola Singh Maghar Singh R/o our village Dan Singh Wala, was very close to Ex. MLA and PA Harjinder Singh @ Bhola son of Maghar Singh. About two and a half years ago, he told Mr. Joginder Singh that MLA's PA Harjinder Singh had informed him that there were posts in the Fire Brigade Bathinda, and if any boy was interested, he could hire him by recommending M.L. But because I was unemployed, my grandfather, Joginder Singh, said yes even though he did not want to pay. When I asked for 4 lakh rupees that day, my grandfather Joginder Singh, gave 20 thousand rupees in front of me, and Yadwinder Singh and Harjinder Singh asked me to pay the rest soon. As per the agreement made by my grandfather, Joginder Singh, with Harjinder Singh and Yadwinder Singh at Rose Garden, Bathinda, Rs. 3,50,000/- was given to the duo. After that, my grandfather, Joginder Singh, kept asking Harjinder Singh about my job. Harjinder Singh evaded answering his query every time he asked, but the former did not give any job. When we repeatedly went to his house in Kotbhai, Harjinder Singh changed his phone number from 94179-15278 to my phone number 62809-57919. Also, Harjinder Singh only returned Rs. 50,000/- through Google Pay and did not give any concrete answer to our repeated inquiries, nor did he return our remaining money. That is why we staged a dharna (strike) in front of the house of Harjinder Singh

@ Bhola on 03.04.2024 under the chairmanship of President Karnail Singh resident of village Giddar, where Pritam Singh Kotbhai called us to his house, but we were not given any hearing. My grandfather, Joginder Singh, started living in mental distress since that day due to this gross injustice. Due to Harjinder Singh not returning the remaining money, my grandfather Joginder Singh got fed up with Harjinder Singh @ Bhola and consumed Salfash tablets on 05.04.2024. He told me that he was unhappy with Harjinder Singh @ Bhola and took Salfash tablets to end his life. We got him admitted to Mandi Sukhmani Hospital, Goniana, but he died there. Legal action may kindly be taken against Harjinder Singh @ Bhola.”

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 11.12.2024 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 Additional Sessions Judge, Bathinda, vide Endst. No.556 dated 17.01.2025.

The relevant extract of the report is reproduced as under: -

“Pursuant to the directions issued by Hon'ble High Court, the complainant Manpreet Singh, his father Chamkaur Singh appeared before this court on 23.12.2024 and testified that the matter has been amicably resolved between the parties with the intervention of Panchayat. In this respect, a compromise deed (exhibit-C1) was placed upon record. The accused also acknowledged the due execution of compromise deed (exhibit-C1). Both the parties submitted before this court that the

compromise is for the benefit of both parties. On 02.01.2025, the investigating officer SI Chet Singh came before this court and suffered statement that accused Harjinder Singh @ Bhola was solely nominated in this case and he was having no criminal antecedent. Nor any other accused has been declared proclaimed offender in this case.

Having regard to these circumstances, I submit my report in the manner as per the directions given by the Hon'ble Punjab and Haryana High Court:

1) Number of persons arrayed as accused in the FIR.

Harjinder Singh @ Bhola has been solely arrayed as accused in this case.

2) Whether any accused is declared as proclaimed offender?

As per statement of parties and investigating officer no other accused was either involved or declared proclaimed offender in this case.

3) Whether is compromise is genuine, voluntarily and without any coercion or undue influence?

As it is evident from the statements suffered by the complainant party, apart from accused that the matter was amicably settled and both the parties have voluntarily acknowledged before this court the due execution of compromise deed (exhibit-C1) between them.

Hence, this court is satisfied that the compromise effected between the parties is genuine, voluntarily and out of free will of the parties.

4) *Whether the accused persons are involved in any other FIR or not?*

As per testimony of investigating officer, there was only single accused, Harjinder Singh @ Bhola, having no criminal antecedent.”

6 Learned counsel for respondent No.2 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 Learned counsel for the petitioner further refers to the judgment passed by this Court in the matter of **Gulshan Kumar and another Vs. State of Punjab and others, passed in CRM-M-19732-2021 decided on 24.03.2022.** The relevant part of the same is extracted as under: -

“10. A perusal of the FIR shows that the husband of the complainant had come in contact with a person named Manu and certain monetary transactions had been held between them. It is submitted that on account of the aforesaid monetary transactions, the husband of the complainant was under constant harassment and remained disturbed. It has been further stated that even though the family shifted to Rajpura, however, Manu continued to make phone calls to her husband. The husband of the complainant thereafter borrowed certain sum of money from Gulshan financier and the compounding interest became huge. As a result thereof, the financier kept the car of the husband of the complainant with him. Feeling embarrassed on account of the

said circumstances, husband of the complainant is stated to have jumped into Ganda Kheri Canal and committed suicide. It is apparent that the dispute in question pertains to monetary transaction amongst the parties. The deceased felt aggrieved of the persistent demands being raised by the financier and steps taken by them to effectuate the recovery of the money. The action in question although would not fall within the definition of exceptions carved out by the Hon'ble Supreme Court's judgment, however, what is essential to be noticed at this juncture is that the nature of offence has to be seen from the perspective of its impact on public order, mental depravity, impact on society at large and in the governance and administration of criminal justice administration system. The offence does not reflect depravity of character or involve causing intentional loss of life or property by extending imminent threat to loss of life, such offence be permitted to be quashed on the basis of the compromise. The offence in question, however, does not fall into the aforesaid ambit but is only grievous by the mere nature of its consequences. The amicable resolution of the dispute can always be taken into consideration by the Court. Apparently, in case the said aspect is not taken into consideration or is disregarded by the Court, the same is likely to result in the parties indulging in hoodwinking the process of law in order to ensure acquittal of the accused by subverting the process of administration of criminal justice. The same would thus not sub-serve any larger public interest. Besides, this Court as in the matter of **Balwan Singh @ Visakha Singh & Ors Vs. State of Punjab & Anr in CRM-M-14468-2019 decided on 28.05.2019; CRM-M-31173-2008 titled as Yash Kumar Arora & Anr Vs. State of Punjab & Anr decided on 06.02.2009; CRM-M-48461-2017 titled as Vicky Chauhan Vs. State of Punjab & Anr decided on 09.03.2018; CRM-M-6455-2021 titled as Vijay Kumar @ Billu Saini Vs. State of Haryana & Another decided on 09.04.2021; CRM-M-36447-2019 titled as Shama Verma & Others Vs. State**

of Punjab & Another decided on 29.11.2019, as well as CRM-M-12998 of 2016 titled as Sukhwinder Kaur & Another Vs. State of Punjab & Another decided on 14.02.2019, have quashed the FIR and consequential proceedings arising therefrom for offence under Section 306 IPC.”

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 BNSS:-

- (i) It is established from the report of the Additional Sessions Judge, Bathinda, that a compromise has been effected voluntarily between the parties, restoring peace and harmony between them.
- (ii) The petitioner is about 63 years old, and continuation of criminal proceedings would have a serious adverse impact on his prospects 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 2024, sufficient time has elapsed, and proceedings have not progressed substantially, indicating that the trial is likely to take considerable time to conclude.
- (v) The offence alleged, though not to be condoned, cannot be categorised as heinous or of such a nature that would shock the conscience of society or warrant continuation of prosecution despite settlement.

- (vi) There is nothing on record to suggest that the petitioner is a 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.

10 In view of the report of the Additional Sessions Judge, Bathinda, and having regard to the settled principles laid down by this Court in the matter of ***Gulshan Kumar (supra)***, the instant petition is allowed. FIR bearing No.0045 dated 06.04.2024 under Section(s) 306 of the Indian Penal Code, 1860, registered at Police Station Nehianwala, District Bathinda, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 19.04.2024 (Annexure P-3) entered between the parties. However, the same would be subject to payment of costs of Rs.33,000/- with the “Red Cross Old Age Home” A/c No.50100286016319, IFSCHDFC0004030, HDFC Bank, Sector-15, Panchkula, within two months from receipt of a certified copy of this order.

11 Petition is allowed in the above terms.

April 22, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE
Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*