



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-51399-2025 IN/AND
CRA-S-1798-2025 (O&M)
Date of Decision: 12.02.2026

RAM NIWAS

....Appellant

Versus

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Ms. Anamika Sheoran, Advocate for the appellant.

Mr. Parveen Kumar Aggarwal, Addl. A.G., Haryana.

Mr. Arun Abrol, Advocate for respondent No.2.

RUPINDERJIT CHAHAL, J (ORAL)

1. The present appeal is directed against judgment/order dated 17.03.2025/21.03.2025 passed by Additional Sessions Judge, Bhiwani, whereby, the appellant has been convicted and sentenced in FIR No.129, dated 22.07.2017, under Sections 147, 148, 149, 307, 452 and 506 IPC and Section 25 of Arms Act, registered at Police Station Siwani, District Bhiwani.

2. During the pendency of the present appeal, the parties have arrived at compromise and application was filed for disposing the appeal in view of compromise.

3. Learned counsel for the appellant submits that continuation of proceedings is nothing but an abuse of the process of the Court. She submits that though the appellant has already been convicted by the Court of competent jurisdiction, however, now, the parties have arrived at a



compromise and respondent No.2 does not want to prosecute the appellant any more. Thus, the FIR alongwith judgment and conviction order dated 17.03.2025/21.03.2026 passed by Additional Sessions Judge, Bhiwani, may kindly be quashed.

4. Learned counsel for respondent No.2 has affirmed the submissions made by counsel for the appellant and thus, he has submitted that the *inter se* dispute between the parties is resolved amicably. Hence, he has no objection, if the judgment of conviction is quashed.

5. This Court vide order dated 22.12.2025 directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements, as contended before the Court, and the trial Court/Illaq Magistrate was also directed to send its report.

6. Pursuant to the aforesaid order, parties have appeared before the Sub Divisional Judicial Magistrate, Siwani, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 07.01.2026 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

7. I have heard learned counsel for the parties, perused the record and the report sent by the learned Sub Divisional Judicial Magistrate, Siwani.

8. A bare perusal of statutory provision of the 528 of B.N.S.S. would show that the High Court may make such orders, as may be necessary to give effect to any order under this Code or to prevent abuse of the process



is equally relevant for consideration, which prescribes the procedure for compounding of the offences under the Bharatiya Nyaya Sanhita.

9. Hon'ble Supreme Court in '**Ramgopal and another v. State of Madhya Pradesh**', 2021 (4) RCR (Criminal) 322 has held as under:

*"13. It appears to us that criminal proceedings involving non-heinous offences or where the offences are predominantly of a private nature, can be annulled irrespective of the fact that trial has already been concluded or appeal stands dismissed against conviction. Handing out punishment is not the sole form of delivering justice. Societal method of applying laws evenly is always subject to lawful exceptions. It goes without saying, that the cases where compromise is struck post conviction, the High Court ought to exercise such discretion with rectitude, keeping in view the circumstances surrounding the incident, the fashion in which the compromise has been arrived at, and with due regard to the nature and seriousness of the offence, besides the conduct of the accused, before and after the incidence. The touchstone for exercising the extraordinary power under Section 482 Cr.P.C., 1973 would be to secure the ends of justice. There can be no hard and fast line constricting the power of the High Court to do substantial justice. A restrictive construction of inherent powers under Section 482 Cr.P.C., 1973 may lead to rigid or specious justice, which in the given facts and circumstances of a case, may rather lead to grave injustice. On the other hand, in cases where heinous offences have been proved against perpetrators, no such benefit ought to be extended, as cautiously observed by this Court in **Narinder Singh & Ors. v. State of Punjab & Ors.**, (2014) 6 SCC 466 and Laxmi Narayan (Supra).*

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19. We thus sum-up and hold that as opposed to Section 320 Cr.P.C., 1973 where the Court is squarely guided by the compromise between the parties in respect of offences 'compoundable' within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482 Cr.P.C., 1973 or vested in this Court under Article [142](#) of the Constitution, can be invoked beyond the metes and bounds of Section 320 Cr.P.C., 1973 Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind: (i) Nature and effect of the offence on the conscious of



the society; (ii) Seriousness of the injury, if any; (iii) Voluntary nature of compromise between the accused and the victim; & (iv) Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations."

10. Applying the law settled by Hon'ble Supreme Court in plethora of judgments and this High Court, it is apparent that when the parties have entered into a compromise, then continuation of the proceedings would be merely an abuse of process of the Court and by allowing and accepting the prayer of the appellant by quashing the case would be securing the ends of justice, which is primarily the object of the legislature enacting under Section 528 of B.N.S.S.

11. As a result, this Court finds that the case in hand squarely falls within the ambit and parameters settled by judicial precedents and hence, judgment dated 17.03.2025 passed by Additional Sessions Judge, Bhiwani, in convicting and sentencing the appellant under Section 307, 452, 506 IPC and Section 25 of Arms Act and order of sentence dated 21.03.2025 are hereby quashed on the basis of compromise.

12. The jail authorities are directed to release the appellant immediately, if not required in any other case.

13. Petition stands allowed.

14. Pending miscellaneous application if any, also stand disposed of accordingly.

12.02.2026
Gurpreet

(RUPINDERJIT CHAHAL)
JUDGE