



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

239

CRM-M-34204-2025

TARANDEEP SINGH BAWA AND OTHERS

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

Date of decision: 27.03.2026

Date of Uploading: 27.03.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sukhdeep Singh, Advocate for the petitioners.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

Mr. Piyush Sharma, Advocate for respondent No.2.

SUMEET GOEL, J. ORAL

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.109 dated 16.04.2014 under Sections 384, 506 of IPC (Sections 115, 120-B of IPC and Sections 25/54/59 of the Arms Act added later on) registered at Police Station Sadar Ferozepur and all consequential proceedings arising therefrom on the basis of compromise dated 16.06.2025 (Annexure P-3), which is stated to have been effected between the parties.

2. On 26.08.2025, the following order was passed:

“This petition has been filed under Section 528 BNSS for quashing of FIR No.109, dated 16.04.2014, registered under Sections 384, 506 IPC (Sections 115, 120B and Section 25/54/59 of the Arms Act added subsequently), at Police Station Sadar Ferozepur and all subsequent proceedings arising therefrom on the basis of the compromise.



Learned counsel for the parties admit the factum of compromise.

In view of the submission made on behalf of the parties, they are directed to appear before the Illaqa Magistrate for recording their statements qua the compromise within a period of 15 days.

The trial Court/Illaqa Magistrate is directed to record the statements of the parties and submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed offender?*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- 4. Whether the accused persons are involved in any other FIR or not?*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

Adjourned to 29.09.2025.”

3. Pursuant to the aforesaid order, report dated 05.09.2025 from Additional Sessions Judge, Ferozepur has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

“1. There are 6 persons namely Angrej Singh, Sachin Sharma, Rajiv Sharma, Sarabhjit Singh, Tarandeep Singh and Robin Singh arrayed as accused in the present case.

2. No accused is a proclaimed offender in this case.

3. The compromise is genuine, voluntary and without any coercion or undue influence;

4. As per statement made by accused Robin Singh, he is involved in 2 other FIRs against him bearing FIR No.167/2024 under Sections 323, 341, 120-B IPC, Police Station Model Town Rewari, which is under investigation and FIR No. 32/2023, Police Station Kasola under Sections 147, 149, 506, 120-B IPC, wherein challan has already been presented and charges have been framed against him. Further, as per statement of accused Sachin Sharma, 5 more FIRs registered have been registered against him, out of which, he has already been acquitted in 4 FIRs and only one FIR is pending bearing FIR No.308 dated 16.08.2014, Police Station Ambala Cantt. However, his appeal is pending before Hon'ble Punjab and Haryana High Court in above FIR and he is on bail granted by Hon'ble High Court. Further, as per statement of accused Tarandeep Singh, one more FIR bearing No.35 of 2014, Police Station Sadar Ferozepur got registered by Amandeep Kaur daughter of Varinderpal Singh (complainant in the present



case) has been registered against him, which has also been compromised vide same compromised deed Ex.C1 and quashing is pending before Hon'ble Punjab and Haryana High Court.

5. The statement of the investigating Officer has also been recorded. The complainant in this case is Varinderpal Singh son of Amrik Singh. He is the only complainant and was the victim in this case."

4. Learned counsel for respondent No.2 admits the fact of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioners are quashed.

5. Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise (Annexure P-3).

6. I have heard learned Counsel for the parties and have carefully gone through the records of the case.

7. This Court and the Hon'ble Apex Court has repeatedly dealt with the issue of exercise of jurisdiction under Section 482 of the Code to quash proceeding in non-compoundable offences in the cases of ***Gian Singh vs. State of Punjab and another, 2012(10) SCC 303, Kulwinder Singh & others vs. State of Punjab & another, 2007 (3) RCR (Criminal) 1052 and Ram Gopal and another vs. State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322 (Criminal Appeal No.1489 of 2012 decided on 29th of September, 2021)***. The proposition of law that emerges from the aforesaid decisions rendered by the Hon'ble Apex Court and this Court is :

- (a) Power u/s 482 Cr.P.C. vested with this Court is much wider and is unaffected by Section 320 of the Code.*
- (b) However, wider the power greater the caution.*
- (c) The underlining principle while exercising such power is that it can be invoked to quash the proceedings*



recognizing compromise between the parties in the matters which are overwhelmingly and predominantly of civil character like commercial transactions or arising out of matrimonial relationship or family disputes.

- (d) The said power is not to be exercised in the prosecutions involving heinous and serious offences of mental depravity or offences like murder, rape, dacoity etc. as such offences are not private in nature and have a serious impact on society.*
- (e) Section 482 Cr.P.C. casts duty upon the High Court to advance interest of justice as well. It is in recognition of this duty casted upon the High Court, that Apex Court held that the High Court would not refuse to quash FIR under Section 307 merely because FIR finds mention thereof. High Court can assess nature of injuries sustained, whether such injuries inflicted on vital/delicate parts of the body/nature of weapons used etc.*
- (f) Such exercise at the hands of High Court would be permissible only after the evidence is collected after investigation and chargesheet is filed/charges framed during the trial. Such exercise cannot be carried out while the matter is still under investigation.*
- (g) While quashing FIR in non-compoundable offences even which are of private in nature, High Court is required to consider antecedents of the accused, conduct of the accused and whether he was absconding or whether he has managed the complainant to enter into a compromise.*

The statutory provision of Section 528 of BNSS, 2023 is same as the statutory provision of Section 482 of Cr.P.C., 1973. Therefore, the

above said principles of law would apply to a petition under Section 528 of BNSS, 2023 as well.

8. Thus, keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that it is a fit case to exercise jurisdiction vested u/s 528 of BNSS,2023 to quash the FIR as :-

- (i) *Putting a quietus to the proceedings will bring peace and tranquility amongst parties & will accordingly further the cause of substantial justice.*
- (ii) *The offences alleged are primarily of private nature.*
- (iii) *The parties have compromised.*
- (iv) *As per the report received the compromise is said to be voluntary in its nature.*
- (v) *Complainant/victim is reported to have entered into compromise on his own volition.*

9. Consequently, the petition is allowed. FIR No.109 dated 16.04.2014 under Sections 384, 506 of IPC (Sections 115, 120-B of IPC and Sections 25/54/59 of the Arms Act added later on) registered at Police Station Sadar Ferozepur and all consequential proceedings arising therefrom on the basis of compromise dated 16.06.2025 (Annexure P-3), are, hereby, quashed.

10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

27.03.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No