



CRM-M-36546-2025

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

279

CRM-M-36546-2025

Meena Gautam and others

...Petitioners

V/s

State of Haryana and another

...Respondents

Date of decision: 18.02.2026**Date of Uploading : 18.02.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Yogita Soni, Advocate for the petitioners.

Mr. Deepak Kumar Grewal, DAG Haryana.

Mr. Ajay Chauhan, Advocate for respondent No.2.

SUMEET GOEL, J. (Oral)

1. The present petition has been preferred by the petitioners Section 528 of Bhartiya Nyaya Surksha Sanhita (BNSS) seeking quashing of FIR No.71 dated 06.03.2024 (hereinafter to be referred as the impugned FIR) registered under Sections 420 & 406 of IPC at Police Station Bilaspur, District Yamuna Nagar and all consequential proceedings arising therefrom on the basis of an alleged compromise stated to have been effected between the petitioners and respondent No. 2 - complainant.

2. The gravamen of the FIR reflects that the complainant alleged that the petitioners induced him to part with a substantial amount of money on the false pretext of securing him a job of Clerk in the High Court at Chandigarh. The accused represented that they had influence in the High Court and demanded Rs.21.00 lacs for arranging the appointment.



Believing their representations, the complainant paid various amounts to the accused on different dates through RTGS/UPI and in cash and also handed-over his original documents. It has been further alleged that the accused repeatedly postponed the issuance of the joining letter on one pretext or another and ultimately provided a fake appointment letter. Furthermore, when the complainant demanded return of his money, the accused neither refunded the amount nor returned his documents and allegedly threatened him with dire consequences. On the basis of these allegations, the FIR *ibid* has been registered.

3. Learned counsel for the petitioners iterated that the present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the FIR in question on the basis of a compromise arrived at between the petitioners and respondent No. 2 - complainant. Learned counsel has further iterated that with the intervention of respectable persons and family members, the matter has been amicably settled between the parties and the entire dispute, which was purely personal in nature, has been resolved. It has been further submitted that a substantial amount out of the settled sum has already been paid to the complainant and the remaining amount was agreed to be paid at the time of recording of statements before the Court below. Furthermore, an affidavit of the respondent No.2-complainant acknowledging the compromise has also been placed on record. Learned counsel has further submitted that in view of the compromise, respondent No. 2 no longer wishes to pursue the criminal proceedings and hence the continuation of the criminal



proceedings would amount to abuse of the process of law and would serve no useful purpose. To buttress his arguments, reliance has been placed on the judgments of the titled as *Kulwinder Singh and others vs. State of Punjab and another, 2007 (3) RCR (Criminal) 1052*; *Madan Mohan Abbot vs. State of Punjab, (2008) 4 SCC 582*; and *Balbir Singh and another vs. State of Punjab and another, 2011 (5) RCR (Criminal) 713*, to contend that this Court, in exercise of its inherent powers, can quash criminal proceedings on the basis of compromise even in non-compoundable offences, in order to secure the ends of justice and to prevent abuse of the process of the Court. On the strength of these submissions, learned counsel has prayed that the FIR and all subsequent proceedings arising therefrom be quashed on the basis of the compromise between the parties.

4. Learned State counsel has opposed the prayer made by the petitioners seeking quashing of the FIR in question. Learned State counsel has iterated that although the petitioners have relied upon a compromise allegedly effected with respondent No. 2 - complainant and this Court had directed the parties to appear before the learned Trial Court/Illaq Magistrate for recording of their statements with regard to the genuineness and voluntariness of the compromise, the petitioners as well as the respondent No.2 - complainant have failed to appear before the Court below despite sufficient opportunities having been granted. Learned State counsel has further contended that offences alleged against the petitioners are under Sections 420 and 406 IPC, which involve allegations of cheating



and criminal breach of trust and the same cannot be quashed merely on the basis of an unverified compromise. Accordingly, the dismissal of the petition in hand is entreated for.

5. Learned counsel appearing on behalf of respondent No. 2 - complainant has iterated the dispute between the parties was primarily of a personal and financial in nature. However, learned counsel has fairly contended that pursuant to the order passed by this Court directing the parties to appear before the learned Trial Court for recording of their statements with regard to the genuineness and voluntariness of the compromise, respondent No. 2 could not appear before the learned Trial Court.

6. I have heard learned counsel for the rival parties and have perused the available record.

7. Indubitably, the wide plenary powers of this Court under its inherent jurisdiction are saved by virtue of Section 528 BNSS, 2023, which except for self-imposed restrain(s), are not bound by any restriction or limitation. However, the wider the powers are, more is the duty upon the Courts to invoke extraordinary inherent jurisdiction with utmost circumspection. It is the statutory right as well as the duty of the Police to investigate into a cognizable offence. *Ergo*, where the allegations, *prima facie*, disclose the commission of cognizable offence, this Court must act with deference while considering a plea for quashing of the FIR. It is not *apropos* for this Court to embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations, particularly, when the case is



at the stage of investigation, *lest*, it may tantamount to usurping the jurisdiction of an authority, statutorily vested with the powers to conduct investigation. Save in exceptional cases, where the conduct of investigation itself is a miscarriage of justice, such as where allegations, *prima facie*, do not disclose commission of a cognizable offence, interference by this Court, under the inherent jurisdiction is justified.

8. It appears that notice of motion has been issued whereinafter the parties were directed to appear before the concerned Illaqa Magistrate/trial Court for recording of their statements with regard to the factum and genuineness of the compromise. Despite sufficient opportunities having been granted by this Court, the petitioners as well as respondent No. 2 have failed to appear for recording of their statements. No valid explanation has been furnished by the parties for their non-appearance. It is well settled that in petition(s) seeking quashing of an FIR on the basis of compromise, the appearance of the parties before the trial Court for verification of the compromise is mandatory so as to satisfy the Court with regard to its voluntariness and genuineness. In the absence of such verification, this Court cannot exercise its inherent jurisdiction for quashing of criminal proceedings. Since the parties have failed to appear before the learned Trial Court despite adequate opportunities, this Court is left with no option but to dismiss the present petition. Moreover, the issues raised on behalf of the petitioners in the instant quashing petition are essentially questions of fact which can be adjudicated upon after due investigation and appraisal of evidence and, thus, the present petition is



pre-mature. Keeping in view the entirety of the facts and circumstances of the present case, this Court is of the considered view that no case for quashing of instant FIR is made out.

10. As an upshot of above-said rumination, it is directed as follows:

(i) The petition; seeking quashing of FIR No.71 dated 06.03.2024 (hereinafter to be referred as the impugned FIR) registered under Sections 420 & 406 of IPC at Police Station Bilaspur, District Yamuna Nagar and all consequential proceedings arising therefrom; is dismissed.

(ii) The petitioners are saddled with costs of Rs.15,000/- which shall be deposited by them with Chief Judicial Magistrate (CJM), Yamuna Nagar within four weeks from today. In case such costs are deposited; CJM, Yamuna Nagar shall have the same remitted to Haryana State Legal Services Authority, Panchkula. In case, the said costs are not deposited by petitioners as directed for; the CJM, Yamuna Nagar is directed to intimate the Deputy Commissioner, Yamuna Nagar who shall have such costs recovered from the petitioners as arrears of land revenue and upon realization thereof, the Deputy Commissioner, Yamuna Nagar shall have the same submitted to CJM, Yamuna Nagar, for further remittance thereof to Haryana State Legal Services Authority, Panchkula. A compliance report be sent by CJM, Yamuna Nagar as also Deputy Commissioner, Yamuna Nagar to this Court accordingly.

(iii) Any observations made and/or submissions noted hereinabove shall not have any effect on the merits of the case and the trial Court shall



proceed further, in accordance with law, without being influenced with this order.

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

(SUMEET GOEL)
JUDGE

February 18, 2026
Ajay

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