



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

321

CRM-M-39302-2025 (O&M)

Date of decision: 15.01.2026

Jaspreet Kaur

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Ms. Arti Kaur, Advocate for the petitioner(s).

Mr. Rituraj Singh, DAG Punjab.

Ms. Alisha Sharda, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for seeking quashing of FIR No.0047 dated 08.08.2024 under Section 420 IPC registered at P.S. Rawalpindi, District Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 12.03.2025 (Annexure P-2).

2. Briefly summarized, the facts of the present case are that the respondent-complainant Pardeep Kumar Gidde had solemnized marriage with the petitioner on 22.12.2019. The petitioner's living expenses in Canada, educational expenses, air ticket expenses and fees were all borne by the complainant and the latter spent a sum of Rs.25 lakh on her in total. The petitioner had promised the complainant that she would do all the necessary paperwork to take him to Canada. However, her behaviour changed after

going to Canada and she started consulting her family members before conversing with the complainant. The petitioner's family members also did not cooperate with the complainant in this regard. Petitioner's father, Kuldeep Singh, wrote a compromise on 13.10.2022, exhorting the complainant to take appropriate action against the petitioner and her family members if the petitioner did not invite him to Canada. However, the said compromise was not honoured and thus the present FIR was registered against the petitioner.

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 11.09.2025 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, report has been received from the Judicial Magistrate 1st Class, Phagwara vide Memo No. 249 dated 04.10.2025. The relevant extract of the report is reproduced as under:-

“1. It is submitted that as per the FIR and statement of IO, petitioners/accused Jaspreet Kaur d/o Kuldeep Singh, resident of VPO Jasso Mazara, SBS Nagar has been arrayed as accused in the present FIR.

2 It is submitted that accused Jaspreet Kaur appeared through VC for recording of her statement through GPA Holder Kuldeep Singh in support of the compromise which is duly identified.

3. *The name of the complainant is Pardeep Kumar Gidde @ Pardeep Kumar Gindhay son of Rai Balwant. The complainant has appeared in the Court and suffered his statement in support of the compromise which is duly identified.*
4. *It is further submitted that as per the record and the statement of IO, neither any other criminal case is pending against the present accused nor the accused has been declared proclaimed offender in any other criminal case. Also besides the present accused, no other accused is involved in the present FIR.*
5. *As per the statements of both the parties, this court is satisfied that compromise effected between the parties is genuine, without any undue influence and out of free will of the parties.*
6. *As per the statements of accused person and IO, no other criminal case is pending against the accused.”*

6. 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.

7. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed and affirmed during the statement before the trial Court.

8. The broad principles for exercising the powers under Section

482 were summarized by the Hon'ble Supreme Court in the matter of **'Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another'** (2017) 9 SCC 641'. The relevant paragraphs are extracted as under:

“16.1. Section 482 preserves the inherent powers of the High Court to prevent an abuse of the process of any court or to secure the ends of justice. The provision does not confer new powers. It only recognises and preserves powers which inhere in the High Court.

16.2. The invocation of the jurisdiction of the High Court to quash a first information report or a criminal proceeding on the ground that a settlement has been arrived at between the offender and the victim is not the same as the invocation of jurisdiction for the purpose of compounding an offence. While compounding an offence, the power of the court is governed by the provisions of Section 320 of the Code of Criminal Procedure, 1973. The power to quash under Section 482 is attracted even if the offence is non-compoundable.

16.3. In forming an opinion whether a criminal proceeding or complaint should be quashed in exercise of its jurisdiction under Section 482, the High Court must evaluate whether the ends of justice would justify the exercise of the inherent power.

16.4. While the inherent power of the High Court has a wide

ambit and plenitude it has to be exercised (i) to secure the ends of justice, or (ii) to prevent an abuse of the process of any court.

16.5. *The decision as to whether a complaint or first information report should be quashed on the ground that the offender and victim have settled the dispute, revolves ultimately on the facts and circumstances of each case and no exhaustive elaboration of principles can be formulated.*

16.6. *In the exercise of the power under Section 482 and while dealing with a plea that the dispute has been settled, the High Court must have due regard to the nature and gravity of the offence. Heinous and serious offences involving mental depravity or offences such as murder, rape and dacoity cannot appropriately be quashed though the victim or the family of the victim have settled the dispute. Such offences are, truly speaking, not private in nature but have a serious impact upon society. The decision to continue with the trial in such cases is founded on the overriding element of public interest in punishing persons for serious offences.*

16.7. *As distinguished from serious offences, there may be criminal cases which have an overwhelming or predominant element of a civil dispute. They stand on a distinct footing insofar as the exercise of the inherent*

power to quash is concerned.

16.8. *Criminal cases involving offences which arise from commercial, financial, mercantile, partnership or similar transactions with an essentially civil flavour may in appropriate situations fall for quashing where parties have settled the dispute.*

16.9. *In such a case, the High Court may quash the criminal proceeding if in view of the compromise between the disputants, the possibility of a conviction is remote and the continuation of a criminal proceeding would cause oppression and prejudice; and*

16.10. *There is yet an exception to the principle set out in propositions 16.8. and 16.9. above. Economic offences involving the financial and economic well-being of the State have implications which lie beyond the domain of a mere dispute between private disputants. The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance.”*

9. The Hon'ble Supreme Court has held in '**Ramgopal And Another Vs State of Madhya Pradesh**, 2021 SCC Online SC 834', that the matters which can be categorized as personal in nature or in the matter in

which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

10. 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *The dispute is primarily fiscal in nature and the complainant has alleged that the petitioner defrauded him of Rs.25,00,000/- on the pretext of inviting him to Canada and stand settled.*
- ii) *Petitioner is 25 years of age and continued criminal incarceration will cause severe repercussions to the petitioner in discharge of her social obligations as well as in her workplace.*
- iii) *The FIR in question pertains to the year 2024 and the proceedings are at an early stage.*
- iv) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;*
- v) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile*

expenditure of judicial time.

11. In view of the report of the Judicial Magistrate 1st Class, Phagwara and the principles laid down by the Apex Court in '***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another***' (2017) 9 SCC 641', the instant petition is allowed. FIR No.0047 dated 08.08.2024 under Section 420 IPC registered at P.S. Rawalpindi, District Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise dated 12.03.2025 (Annexure P-2).

12. Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

15.01.2026

Mangal Singh

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