



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

337

CRM-M-39578-2025

RAHUL @ VIJAY KUMAR AND OTHERS

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CRM-M-39709-2025

SANJEEV RANA @ SHOURYA AND ANOTHER

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

Date of decision: 24.02.2026

Date of Uploading: 24.02.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Prabhdeep Singh Bhandari, Advocate for the petitioners.

Mr. Gaurav Gurcharan S. Rai, Sr. DAG, Punjab.

Mr. R.K. Samyal, Advocate for respondent No.2.

SUMEET GOEL, J.

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.39 dated 12.03.2022 under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station City Tarn Taran, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise dated 01.06.2025 (Annexure P-2), which is stated to have been effected between the parties.

2. On 24.09.2025, the following order was passed:



“1. Petitioners have filed the present petition under Section 528 of BNSS for quashing of FIR No. 39, dated 12.03.2022, under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 01.06.2025(Annexures P-2), effected between the parties.

2. It is pointed out that initially there were eight accused in the present case and six of them i.e. Rahul @ Vijay Kumar, Santosh Kumar Shah, Gaurav Shah, Gursahib Singh have filed CRM-M-39578-2025 and others two i.e. Ashwani Kumar and Sanjeev Rana have filed CRM-M-39709-2025 for quashing of the abovesaid FIR. He further submits that qua other two accused the stand of the prosecution is that the investigation is in progress, however, no material has been found till now against them. He further informs that in the deposition made by the complainant before the trial Court, reaching at compromise qua all the accused has already been admitted.

3. In furtherance, learned counsel appearing on behalf of the complainant submits that he has instructions that complainant is willing to give statement before this Court as well as before the Court of learned Magistrate where the statements are yet to be recorded with regard to compromise. He further submits that if, proceedings arising from the aforementioned FIR are quashed, both the parties will live their life peacefully.

4. Notice of motion.

5. On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

6. Mr. R.K. Samyal, appears on behalf of respondent No. 2 and admits execution of the compromise (Annexure P-2).

7. The affected parties are directed to appear before the learned Trial Court/Illaq Magistrate, on 16.10.2025 or on any other date convenient to the Court, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-

Sr.No.

Information required

- I. Total number of persons found involved as accused in the dispute/FIR.*
- II. Number of complainant/victim(s).*
- III Whether all the accused and complainant/victims are party to compromise & signed the same.*
- IV. In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof.*
- V. In case, the petition is not found to be filed by all the accused persons in the case, and only some of them have approached the Court seeking quashing of the proceedings on the basis of compromise, whether complainant(s)/victim(s) is/are ready to give specific statement(s) that: “He/she/they has/have compromised the dispute in this case as a whole, i.e. qua all the accused in the case, and this very statement shall be good enough, binding upon him/her/them, and no objection could have been raised at a later stage in case remaining accused, who are not party in the present petition but involved in the criminal case directly or indirectly, come forward seeking quashing of FIR and*



- all subsequent proceedings qua them, on the basis of the present statement being made.”*
- VI. *Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication*
- VII. *Stage of the trial/proceedings*
- VIII. *Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence*
- IX. *Any other aspect relevant to the present case.*

8. To come up on 11.12.2025, awaiting report.

9. Reply filed by learned State counsel (in both the cases) in the Court today is taken on record.

10. A photocopy of this order be placed on the file of connected case.”

3. Pursuant to the aforesaid order, report dated 10.12.2025 from Chief Judicial Magistrate, Tarn Taran (Punjab) has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

“(i) There is one complainant in CRM-M-39578 of 2025 and CRM-M-39709 of 2025. All the victims/complainants are party to the compromise. That there are total 4 accused party in CRM-M No. 39578 of 2025 and 2 accused persons in CRM-M-39709 of 2025 to compromise.

(iii) During investigation no additional accused has been added.

(iv) Accused Ashwani Kumar was declared proclaimed offender but he was directed to surrender before the trial court vide order dated 24.09.2025 by Hon'ble High Court in CRM-M-45439 of 2025. He furnished bail bonds on 04.10.25

v) There is no investigation pending against any of the accused nor any accused has been declared as innocent.”

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-2).

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.39 dated 12.03.2022 under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station City



Tarn Taran, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise dated 01.06.2025 (Annexure P-2), are, hereby, quashed.

- 10. Pending application(s), if any, shall also stand disposed off.
- 11. Photocopy of this order be placed on the file of other connected matter.

(SUMEET GOEL)
JUDGE

24.02.2026
jatin

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