



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

293

CRM-M-41682-2025
Date of decision: 15.01.2026

PANKAJ AND ANOTHERPetitioners

VERSUS

STATE OF HARYANA AND ANOTHERRespondents

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

Present: - Mr. Deepam Raghav, Advocate
for the petitioners.

Mr. Omkar Singh Wahla, Sr. DAG, Haryana.

Mr. Vikram Rana, Advocate
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.0028 dated 01.05.2025 under Sections 303 of the BNS, 2023 registered at Police Station GRP Gurugram at GRP Ambala Cantt, Haryana along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.07.2025 (Annexure P-3).

2. Brief facts of the present case are that on 01.05.2025, SI Krishan Kumar, Incharge Police Post GRP Pataudi Road, along with other

officials, had gone for checking at Platform No. 1, Ichhapuri Railway Station, where complainant/respondent no. 2 (Ram Chandra) got recorded his statement to the effect that on 01.05.2025 at around 9:00 AM he, along with his wife, had come to Ichhapuri Railway Station for going to Karkardooma, Delhi. At around 1:30 PM, one person wearing salwar suit and face covered with an orange coloured chunni came towards them and suddenly he picked up their bag and ran outside the railway station. The complainant/respondent no. 2 tried to catch him, but one person was already waiting on motorcycle there and the said person sat on the motorcycle and both of them ran away. The bag was containing Rs. 2 Lakhs (Rs. 500/- notes), one gold chain, two rings and one pair earrings. Thereupon, the above mentioned FIR was registered. During investigation, the above mentioned two persons were identified by the complainant/respondent no. 2 in the CCTV footage of the railway station. As per the identification made from the CCTV footage, notice was issued to the address of the petitioners. On 23.07.2025, the petitioners were produced by their father, Sh. Bhagwan Dass, along with the stolen articles and the motorcycle no. HR-36-AL-9848 used in the present crime, at P.S. GRP Gurugram. The petitioners were joined in investigation, wherein they admitted about the commission of the theft. They got recovered the above mentioned stolen articles, the motorcycle bearing no. HR-36-AL-9848 used in the present crime.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

4. Pursuant to the order dated 27.10.2025 passed by this Court, cost as imposed upon the petitioners has been deposited and the photocopy of the receipt thereof is taken on record and also a report has been received from the learned Judicial Magistrate 1st Class, Gurugram vide Memo No. 508 dated 08.12.2025. The relevant extract of the report reads thus:-

“1. There are only two accused persons, namely Pankaj and Neeraj, who have been arrayed as the accused in the present FIR/police report. As per the statement of Investigating Officer, who has further confirmed that no other individual has been arrayed as an accused in the present FIR apart from Pankaj and Neeraj.

2 As per the statement of Investigating Officer, there is only one complainant in the present FIR namely Ram Chander.

3. In compliance with the directions of the Hon'ble High Court, the statement of the Investigating Officer was recorded on 01.12.2025. As per her statement, there is only one complainant/victim Ram Chander whose statement has already been recorded. Likewise, there is only two accused persons Pankaj and Neeraj whose statement has also been recorded. Both parties have entered into a full and complete compromise, and there is no element of partial settlement.

4. As per the statement of IO, complainant and accused person, there is only one complainant and two accused persons in the present FIR and they all have been arrayed as party to the quashing petition pending before the Hon'ble High Court and no such affected person (complainant or accused) has been left out or not arrayed as party in the quashing petition.

5. The Investigating Officer has also stated that no other criminal case is pending either against the accused persons or against the complainant and further stated that accused persons have neither been declared as proclaimed persons nor such

proceedings have been initiated against the accused persons.

6. The compromise between the complainant (Ram Chander) and accused persons, namely Pankaj and Neeraj are genuine, and valid and no result of any coercion or undue influence.

7. The present case is presently listed for consideration on the point of framing of charges. It is submitted that the any of the accused person have not been convicted in the matter, and the case is pending before the Magistrate and not before any Learned appellate court.

5. Reply by way of an affidavit of Rajesh Kumar, HPS, Deputy Superintendent of Police, Railway, Haryana, Faridabad already stands filed and the same is taken on record.

6. Learned State counsel files 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. Mr. Vikram Rana, Advocate appears on behalf of respondent No. 2 and files his power of attorney in the Court today and the same is taken on record and also reiterates the settlement and his concurrence to the quashing of the FIR along with all the other consequential proceedings.

8. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure 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' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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 matters 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. On consideration of the above, the following relevant factors emerge for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report of the learned Judicial Magistrate First Class, Gurugram that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. Petitioners are in their twenties and continued incarceration in a criminal case will cause severe repercussions to the petitioners in discharge of their social obligation as well as at their work place and may adversely impact their careers.
- c. The FIR in question pertains to the year 2025 and therefore; the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquility among parties.
- d. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

11. In view of the report submitted by the learned Judicial Magistrate First Class, Gurugram and having regard to the settled principles

laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No.0028 dated 01.05.2025 under Sections 303 of the BNS, 2023 registered at Police Station GRP Gurugram at GRP Ambala Cantt, Haryana and all other consequential proceedings arising therefrom are **hereby quashed** in view of the compromise dated 20.07.2025 (Annexure P-3).

Petition is allowed.

JANUARY 15, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No