



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CRM-M-42071-2025

KARAMJEET SINGH

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

Date of decision: 18.02.2026

Date of Uploading: 18.02.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. A.S. Grewal, Advocate for the petitioners.

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

Mr. Ajaypal Singh Sandhu, Advocate for

Mr. Vikas Parkash, 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.92 dated 07.07.2025 under Sections 125 of BNS and Sections 25/27/54/59 of Arms Act, registered at Police Station Sangat District Bathinda and all consequential proceedings arising therefrom on the basis of compromise dated 23.07.2025 (Annexure P-2), which is stated to have been effected between the parties.

2 On 25.08.2025, the following order was passed:

“The prayer in the present petition under Section 528 BNSS, 2023 is for quashing of an FIR No.92 dated 07.07.2025 registered under Section 125 of BNS, 2023 and Sections 25/27/54/59 of Arms Act at Police Station Sangat District Bathinda and all other consequential proceedings arising therefrom, on the basis of compromise dated 23.07.2025 (Annexure P-2) entered into between the parties.



The learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise on 23.07.2025 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab who is present in Court accepts notice on behalf of respondent No.1-State.

Mr. Vikas Prakash, Advocate accepts notice on behalf of respondent No.2. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Adjourned to 12.01.2026.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statement upto 27.10.2025 with regard to the compromise/settlement dated 23.07.2025 (P- 2) by moving an appropriate application or by presenting this order.

The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated format:-

- 1. Number of persons arrayed accused in the FIR;*
- 2. Whether any accused is a 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; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victim/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.25,000/- with the Punjab and Haryana High Court Employees Welfare Association, Account no. 37167209613 IFSC Code:- BIN0050306 State Bank of India, High Court Branch, Chandigarh on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”

3. Pursuant to the aforesaid order, report dated 21.01.2026 from Judicial Magistrate, Ist Class, Bathinda, has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-



“1. All the affected parties have entered into compromise and the said compromise between the parties is valid, genuine, voluntary without any coercion or undue influence from the any quarter and out of free will of the parties. The compromise is not result of any fraud or misrepresentation.

2. Apart from the accused/petitioner, no other accused is involved in the present FIR.

3. Complainant is not involved in any other case.

4. Accused Karamjeet Singh has got involved in FIR No. 47 dated 01.04.2000 under NDPS Act and FIR No. 71 dated 28.04.2023 u/s 451/323 IPC PS Kotwali Batinda but the accused has already been acquitted from the said FIRs.

5. Parties have not been declared as proclaimed offender/person.”

4. Learned counsel for respondent No.2 admits the factum of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioner is 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.92 dated 07.07.2025 under Sections 125 of BNS and Sections 25/27/54/59 of Arms Act, registered at Police Station Sangat District Bathinda and all consequential proceedings arising therefrom on the basis of compromise dated 23.07.2025 (Annexure P-2), are, hereby, quashed.
10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

18.02.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No