



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46190 of 2025(O&M)
Date of Order:29.01.2026

Lakhwinder Singh Dhand @ Lakhwinder Singh @ Gulu
.
Petitioner
Versus
State of Punjab and others
..Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vinod K. Kaushal, Advocate, for the petitioner.
Mr. Vinay Kumar Malhotra, DAG, Punjab
Ms. Saroj Kumari, Advocate, for
Mr. V.K.Sandhir, Advocate
for respondent nos.2 and 3.

SANJAY VASHISTH, JUDGE

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 07.08.2025 (Annexure P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:

FIR No.	Date	Section(s)	Police Station	District
101	22.07.2024	406, 420 of IPC and 24 of Immigration Act	Machhiwara Sahib	Khanna

2. Vide orders dated 22.08.2025 and 28.10.2025, the affected parties were directed to appear before the learned Trial Court/Illaq Magistrate, for getting their respective statements recorded with regard to the compromise. The Trial Court/Illaq Magistrate was to submit a report in

this regard giving certain details as enumerated in the said order.

3. Pursuant to the aforementioned order, the parties appeared before the Court of learned Judicial Magistrate First Class, Samrala, and as per reports dated 20.10.2025 and 08.12.2025, submitted to this Court, both the parties have got recorded their respective statements in Court. From the report received from the learned Court below, the following is discernible:-

Sr.No.	Description	
1	Total number of persons found involved as accused in the dispute/FIR	Only one accused in the FIR namely Lakhwinder Singh Dhand @ Lakhwinder Singh @ Gulu son of Balwinder Singh
2	Number of complainant/victim(s)	Two complainants/victims, namely, Jujhar Singh son of Bhajan Singh and his son Joga Singh son of Jujhar Singh
3	Whether all the accused and complainant / victims are party to compromise & signed the same	There is one accused and he is petitioner and he has already appeared and got recorded his statement on dated 18.09.2025. Complainant/respondent no.2 Jujhar Singh son of Bhajan Singh also appeared on dated 18.09.2025 and his statement was also recorded. Whereas respondent no.3-Joga Singh son of Jujhar Singh appeared in Court through video conferencing facility on 14.11.2025 and his statement regarding compromise recorded
4	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; OR	No accused is left out to be made party to the present petition. Both victims are party to the present petition as respondents no.2 and 3.
	His/her statement is still to be recorded, in compliance to the	NA

	direction of this Court, details of such person	
5	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication	Report under Section 173 Cr.P.C. is not presented in the Court. As per statement of investigation officer ASI Sanjeev Kumar, there is only one accused namely Lakhwinder Singh Dhand. Said accused is still not arrested and neither he is declared as proclaimed offender/person.
6	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence	The compromise entered into between the parties appears to be genuine and voluntary and the same appears to have been effected between the parties out of their free will and consent, without any threat or pressure or coercion or undue influence. Complainant Jujhar Singh appeared and he recorded the statement that the matter was compromised in lump sum payment of Rs. Thirteen Lakhs and out of said amount, he received Rs. Eight lakhs vide demand draft number 928121 dated 26.05.2025 and amount of Rs.4,50,000/- vide demand draft number 927653 dated 16.09.2025 and Rs.50,000/- vide cheque bearing number 868454. The dispute was monetary and same is settled and payment is made through bank transactions.
7	Any other aspect relevant to the present	Respondent no.3 Joga Singh son of Jujhar Singh did not appear in person or through video conferencing on 18.09.2025 as he went to Greece. But respondent no.2 also got recorded statement on behalf of his son/respondent no.3 being his power of attorney and stated that matter is compromised with the accused. Vide order dated 28.10.2025, one more opportunity was granted to respondent no.3-Joga Singh for getting the statement recorded with regard to compromise. As per report dated 08.12.2025 of Learned Judicial Magistrate Fist Class, Samrala, the statement of respondent no.3-Joga



		Singh has been recorded through video conferencing on 14.11.2025 and he affirms the factum of compromise arrived at between the parties.
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4. Learned counsel for the petitioner(s) submits that in view of the report received from the learned Court Below, it is evident that the matter has been resolved and private parties have effected a compromise, and there remains no dispute amongst them requiring any adjudication. Further submits that in view of the compromise so effected between the private parties, pendency of the FIR and consequential proceedings emanating therefrom would be sheer abuse of the process of law, and the same may be quashed.

5. Learned State counsel as also learned counsel for private respondent(s), after going through the statements and the report received from learned Court below, very fairly admit that the private parties have resolved their dispute and effected a compromise and that they have no objection if the FIR (supra) and all the consequential proceedings are quashed on the basis of the compromise.

6. Through catena of judgments, Hon’ble the Apex Court and High Courts (including Punjab and Haryana High Court), have culled out various principles of law concerning quashing of proceedings emanating after lodging of FIR, and some of them are as under:-

- *Power under Section 482 Cr.P.C./Section 528 BNSS can be exercised to enhance social amity, and to reduce friction.*
- *Disputes which have their genesis in a matrimonial discord,*



landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the Court by exercising its powers under Section 482 Cr.P.C./Section 528 BNSS in the event of a compromise, but this is not to say that the power is limited to such cases.

□ There can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 Cr.P.C./Section 528 BNSS "to prevent abuse of the process of any Court" or "to secure the ends of justice".

□ No embargo, be in the shape of Section 320(9) Cr.P.C./Section 359 BNSS, or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C./Section 528 of the BNSS.

□ The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour.

□ High Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 Cr.P.C./Section 359 BNSS, in order to prevent the abuse of law and to secure the ends of justice.

□ Power under Section 482 Cr.P.C./Section 528 BNSS is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court.

□ Such power has no limits. However, the High Court will exercise it sparingly and with utmost care and caution.



□ *The exercise of power has to be with circumspection and restraint.*

□ *The Court is a vital and an extra-ordinary effective instrument to maintain and control social order.*

□ *The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society.*

□ *Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.*

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

In this regard, judgments cited are:

1. **Gian Singh v. State of Punjab and another, (2012) 10 SCC 303 (SC);**
2. **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641 (SC);**
3. **Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834 (SC); and**
4. **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 [P&H FB].**

7. After hearing learned counsel for the parties and going through the material available on record, this Court finds that there appears to be

substance in the submission of learned counsel for the petitioners that pendency of the present criminal litigation would be abuse of process of law since the chances of conviction of the petitioners are bleak in view of the compromise, so effected between the private parties.

8. The report alongwith statements of the affected parties received from learned Court below would reveal that the complainant/victim person(s) has/have genuinely effected a compromise with the petitioners and he/they has/have no objection, if the impugned FIR and consequential proceedings are quashed.

9. Keeping in view the totality of the facts and circumstances of the case, including the report received by this Court and also, taking into consideration the aforementioned settled principles of law, this petition is accepted and FIR (as detailed in para No. 1 above) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners, in view of compromise dated 07.08.2025.

12. Petition stands disposed of.
Pending misc. application(s), if any, also stand(s) disposed of.

January 29, 2026
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(SANJAY VASHISTH)
JUDGE

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