

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

2026:PHHC:075049



CRM-M-45369-2025 (O&M).
Date of decision: 13.05.2026.

RUDRA

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Mr. Gopal Sharma, Advocate, and
Mr. Prabhat Sharma, Advocate,
for the petitioner(s).

Ms. Chhavi Sharma, AAG, Haryana.

Mr. Amit Kumar, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

CRM-20813-2026

For the reasons set out in the application, the same is allowed.

The main case is preponed from 03.08.2026 and is taken on
Board today itself.

Main case

Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of case bearing FIR No.0355 dated 09.11.2024 under Section(s) 281, 125(a) of the Bharatiya Nyaya Sanhita, 2023, (Section 125(b) of the BNS,2023, added later on), registered at Police Station Bahalgarh, District Sonipat, along with all subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2025 (Annexure P-2).

2 Status report already filed on behalf of the respondent-State is taken on record.

3 The aforesaid FIR was registered on the statement of Jitendra which reads thus: -

“I Jitendra S/O Prem Singh, Village Chhoti Garhi (Rajlu Garhi), District Sonipat, work as a driver in GSK Company. On 2-11-24, I was going on my motorcycle NO HR-10 AE 2655, at around 9.30 am, I was going to the company on duty from my house, when I reached in front of CRP camp, a driver of a pickup jeep no HR69D5868 came from the wrong side, driving very fast and negligently and hit me head-on. I got seriously injured in this accident. I asked the driver's name, he told me Rudra S/O Pawan, village Khewra Colony, then I called the ambulance, the ambulance came and took me to the government hospital, from there I was referred to Tulip Hospital, Sonipat, where I was admitted for 4-5 days of treatment. Later I was discharged, the family members of the accused came to me and said that the expenses of your treatment will be borne by us, but today nobody came to me, today I have come to Bahalgarh police station to get action taken, I have submitted my written application and MLR, action should be taken.”

4 However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition.

5 The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 21.08.2025 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.

6 Pursuant to the said order, a report has been received from the Judicial Magistrate First Class, Sonipat, vide Memo No.610 dated 29.09.2025.

The relevant extract of the report is reproduced as under: -

“it is humbly submitted that as per record and Statement of Investigating Officer, ASI Jasmer Singh No. 274, PS Bahalgarh, Sonapat recorded separately, the compromise has been effected between the parties with the intervention of respectable person on 01.08.2025. It is further stated that there is only one accused named in the FIR namely Rudra S/o Pawan Kumar R/o Khewra, Bahalgarh, Sonapat and there is only one complainant/victim namely Jitender S/o Prem Singh R/o Choti Garhi, Rajlu Garhi, Sonapat. Accused is neither declared proclaimed offender in the present case nor involved in any other criminal case. Since, there is only one complainant and one accused, both have signed the compromise and are parties in the petition filed before the Hon'ble High Court.

It is further submitted that in pursuance of order of the Hon'ble High Court accused namely Jitender appeared before the Court and suffered a statement to the effect that he is victim/complainant in the present case bearing FIR no. 0355 dated 09.11.2024 under Section 125(a), 125(b) and 281 BNS, Police Station Bahalgarh, Sonipat. The compromise has been

effected between the parties on 01.08.2025. He has entered into the compromise voluntarily and the compromise has been effected between the parties amicably, without undue influence or coercion.

Accused Rudra has also suffered separate statement to the effect that he is accused in the present case bearing FIR no. 0355 dated 09.11.2024 under Sections 125(a), 125(b) and 281 BNS, Police Station Bahalgarh, Sonipat. The compromise has been effected between the parties on 01.08.2025 with the intervention of respectable person. He has entered into the compromise voluntarily and the compromise has been effected between the parties amicably, without undue influence or coercion. He has not been declared Proclaimed Offender in present case and not involved in any other criminal case.

Being satisfied that the statements were being voluntarily made, statements of both the parties were recorded on oath, wherein they have acknowledged of having entered into compromise. It is also submitted that present case was registered by complainant on 09.11.2024 regarding the alleged accident dated 02.11.2024, when as per the alleged assurance given by family member of accused and did not get provided the expense of treatment.

In view of the statements of interested parties, this court is satisfied that the compromise has been arrived between the parties and the said compromise is genuine, voluntary, without any coercion or undue influence. Statement of the parties and Investigating Officer in original are attached.”

7 Learned counsel for respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

8 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.

9 The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) 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.”

10 As per the Full Bench judgment of this Court in **"Kulwinder Singh and others v. State of Punjab", 2007 (3) RCR (Criminal) 1052**, it is held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice.

11. 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 BNSS:-

(i) It is established from the report of the Judicial Magistrate First Class, Sonipat, that a compromise has been effected voluntarily between the parties restoring peace and harmony between them.

(ii) The petitioner is a young boy of 21 years of age and

continuation of criminal proceedings would have a serious adverse impact on his future prospects, employment opportunities and social standing.

(iii)The occurrence does not reflect any deep-rooted criminal intent or continuing threat to society.

(iv)The FIR pertains to the year 2024 and already sufficient time has elapsed and proceedings have not progressed substantially, indicating that the trial is likely to take considerable time to conclude.

(v)The offences alleged, though not to be condoned, cannot be categorised as heinous or of such a nature that they shock the conscience of society or warrant continuation of prosecution despite settlement.

(vi)There is nothing on record to suggest that the petitioner is habitual offender or that his conduct poses any continuing threat to public order or societal interest.

(vii)In view of the compromise, the complainant is unlikely to support the case of the prosecution, thereby rendering the possibility of conviction remote.

(viii)Continuation of the criminal proceedings in such circumstances would not serve any larger public interest and would result in unnecessary harassment to the parties.

(ix)The ends of justice would be better served by putting an end to the proceedings rather than allowing them to continue as an exercise in futility, leading to wastage of precious judicial

time.

12 In view of the report of the Judicial Magistrate First Class, Sonipat, and having regard to the settled principles laid down by the Hon’ble Supreme Court on the subject, the instant petition is allowed. FIR No.0355 dated 09.11.2024 under Section(s) 281, 125(a) of the Bharatiya Nyaya Sanhita, 2023, (Section 125(b) of the BNS,2023, added later on), registered at Police Station Bahalgarh, District Sonipat, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 01.08.2025 (Annexure P-2) entered between the parties. However, the same would be subject to payment of costs of Rs.10,000/- with DHFWS SKS USERFEES CS OFFICE Panchkula, Account No.50100189689492, IFSC Code HDFC0004832, HDFC Bank, Sector 6, Panchkula, within two months from receipt of a certified copy of this order.

13 Petition is allowed in above terms.

May 13, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No