



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-47340-2025 (O&M)

Date of decision: 13.01.2026

Tejbir Singh and another

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondents

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

Present :- Ms. Gurpreet Kaur, Advocate for the petitioner(s).

Ms. Savi Nagpal, AAG Punjab.

Mr. Jagpal Singh, 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.36 dated 13.3.2024 under Sections 323, 341, 506, 34 of IPC (Section 325 of IPC added later on), registered at Police Station Ajnala, District Amritsar Rural, along with all subsequent proceedings arising therefrom on the basis of compromise dated 10.12.2024 (Annexure P-2).

2. The instant FIR was registered on the statement of Dharminder Singh @ Lada, son of Inder Singh, aged about 52 years, resident of Village Nasr, Police Station Ramdas, District Amritsar, who stated that he is the owner of a private mini-bus bearing registration No. PB-46-K-4021, operating on the route from Ajnala to Fatehgarh Churian Road. He stated that on 12.03.2024, at about 3:10 p.m., when his partner Raju Singh had commenced the journey of the said bus from Civil Hospital, Ajnala, with



passengers on board, he and his son, Akashdeep Singh, were standing near the bus. At that time, a car bearing registration No. HR-38-AA-3556, make Honda Amaze, occupied by four youths, came in front of the bus and was deliberately stopped, thereby blocking its passage, whereupon all four occupants alighted from the vehicle. It was further stated that one of the said persons was Tejbir Singh, son of Kabal Singh, resident of Sahpur Wala, Ward No. 2, Ajnala, who was armed with a baseball bat. Another was Abhijot Singh, also armed with a baseball bat and known to him from earlier. The remaining two youths were empty-handed and unidentified, though the informant stated that he would be able to identify them if produced before him. Upon the informant and his son requesting the said persons to move their vehicle aside to enable the bus to proceed, the assailants started abusing them and extended threats to kill. It was stated that Tejbir Singh struck the informant with a baseball bat, causing an injury on his left knee. When his son Akashdeep Singh intervened to save him, Abhijot Singh assaulted Akashdeep Singh with a baseball bat, as a result of which he raised his left arm to protect himself and sustained injuries on his wrist. Both the informant and his son raised alarm, whereafter they were further assaulted and kicked. It was further stated that on noticing the gathering of people from the nearby area, the assailants fled from the spot along with their weapons and vehicle. Thereafter, the driver Raju Singh took the informant and his son to the hospital. Due to the injuries sustained, both were admitted to Civil Hospital, Ajnala, where they are stated to be



undergoing treatment.

3. With the intervention of the respectables of both the sides, the matter was mutually resolved and the settlement was arrived at on 10.12.2024, voluntarily and without any coercion, pressure or undue influence. The present petition was thereafter filed.

4. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 28.08.2025 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.

5. Pursuant to the said order, report has been received from the Sub-Divisional Judicial Magistrate, Ajnala vide Memo No. 2 dated 30.09.2025. The relevant extract of the report is reproduced as under:-

- “i) There is no other accused involved in the present dispute/FIR except accused Tejbir Singh and Abhjit Singh.*
- ii) There is only one complainant/victim namely Dharminder Singh in the present FIR.*
- iii) Accused namely Tejbir Singh and Abhjit Singh and complainant/victims namely Dharminder Singh are party to compromise and signed the same.*
- iv) No any affected person (complainant or accused) are left out.*
- v) No any accused have been declared as a proclaimed offender/person or no any such proceedings against them have been initiated or pending adjudication.*
- vi) As per the statements of the parties, it appears that compromise has been effected between the complainant*



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and the accused persons and the same is genuine, voluntary and without any coercion or undue influence.

vii) No any other aspect relevant to the present case.”

6. 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.

7. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed and affirmed during statement before the trial Court.

8. 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 noncompoundable.

- 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 the matter of **'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 matter 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. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings likely to be a waste of judicial time and there appears to be no chances of conviction.

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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *The incident appears to have occurred on account of a sudden altercation and without any premeditation or deliberate or calculated criminal design on the part of the petitioners;*
- ii) *The petitioners are young individuals, aged about 28 and 26 years respectively and are at a formative stage of their lives. Continued criminal prosecution and incarceration are likely to have severe and irreversible repercussions on their social standing, family responsibilities and professional prospects;*



- iii) *The FIR in question pertains to the year 2024 and the criminal proceedings are still at a nascent stage, with no substantive progress having been made thus far;*
- 4) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;*
- 5) *The dispute appears to be essentially personal in nature, arising out of an isolated incident, and does not have wider societal or public ramifications.*
- 6) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile expenditure of judicial time.*

11. In view of the report of the Sub-Divisional Judicial Magistrate, Ajnala and the principles laid down by the Apex Court in '**Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another**' (2017) 9 SCC 641', the instant petition is allowed. FIR No.36 dated 13.3.2024 under Sections 323, 341, 506, 34 of IPC (Section 325 of IPC added later on), registered at Police Station Ajnala, District Amritsar Rural, along with all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise dated 10.12.2024 (Annexure P-2). However, the same would be subject to payment of costs of



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10,000/- to be deposited by each of the petitioners with the Nishkam Sewa High Court Lawyers Society, Account No.43373609961, SBI High Court Branch, IFSC Code: SBIN0050306, Chandigarh within a period of two months from receipt of certified copy of this order.

12. Petition is **allowed** in above terms.

(VINOD S. BHARDWAJ)
JUDGE

13.01.2026

Mangal Singh

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