



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

288

CRM-M-47728-2025 (O&M)

Date of decision: 19.01.2026

Pappu Ram and others

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- None for the petitioners.

Mr. Onkar Singh Wahla, Sr. DAG Haryana.

None for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition filed by the petitioner(s) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for seeking quashing of FIR No.426 dated 25.11.2024, under Section(s) 115, 190, 191 (3), 324(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Kunjpura, District Karnal, (Annexure P-1) along with all the subsequent proceedings arising therefrom on the basis of compromise dated 19.08.2025 (Annexure P-2).

2. There is no representation on behalf of the petitioners as well as respondent No.2.

3. The present FIR was registered on the basis of complaint received in Police Station after enquiry by the Superintendent of Police, Indri, Karnal. The same reads thus:-

“ That on 31.10.2024 at about 10:30 PM, when the complainant was present at his house along with family members, the accused persons namely Ankush, Luvkush (sons of Pala Ram),



Sanju, Pappu, Brijpal, Naresh, Suresh, Raja (sons of Girwar), Sawan and Robin (sons of Pappu), Arthan, Aman (son of Pappu), Paveen (son of Billa), Babita wife of Pappu, Baby d/o Pappu, wife of Jatti, Prince (s/o Naresh), Mannat (s/o Mohar Singh), Ankit (s/o Roshan), Nigam, Shubham (sons of Ramphal), Sunish and Sandeep (sons of Singh Ram), Baby w/o Sanjay, Taban (s/o Mahender), Aman (s/o Subhas) and others, after hatching a criminal conspiracy, came in front of complainant's house armed with weapons, raised lalkaras, hurled abuses and declared that they would burn the complainant's family alive and celebrate Diwali thereafter. That the accused persons, with common intention, forcibly entered the complainant's house, broke the gate, caused monetary loss to the tune of lakhs of rupees, and launched a life-threatening attack upon the complainant and his family members by using sticks, brickbats and stones. That during the attack, Sanjay, Aman, Paveen and Pappu assaulted the complainant Bahadur with sticks; Brijpal, Sawan and Robin beat Rajni with brickbats; Ankit, Luvkush and Ankush inflicted beatings with sticks; Nigam and Pappu attacked Variyam with bricks; Mannat and Sawan beat Gurmit with bricks; while brickbats were also thrown at Sombir. The assailants further damaged complainant's Wagon-R car (Reg. No. HR0846676) by breaking its roof, bonnet and glasses. That the incident was recorded in a video clip, which is in possession of the complainant as evidence. The complainant immediately called at 112 helpline number from his mobile Nos. 9315023300 and 7056645114, upon which the police reached the spot and further untoward incident was avoided. That the present attack is a result of old enmity."

4. However, with the intervention of the respectables, the parties had 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 29.08.2025 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, report has been received from the Judicial Magistrate 1st Class, Karnal vide Memo No. 391 dated 01.10.2025.

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

“1.Q. Number of persons arrayed as accused in the FIR?

Ans. As per the police report, FIR was registered against sixteen persons but and charge-sheet was filed against five persons namely Sawan, Sanjay, Pappu, Sandeep @ Ankush and Ramphal while remaining accused persons were found to be innocent.

2.Q Whether any accused has been declared as Proclaimed Offender?

Ans. As per the police report, no accused has been declared as Proclaimed Offender.

3.Q Whether the compromise is genuine, voluntary and without any coercion or undue influence?

Ans. As per the statement of both parties, it appears that the compromise is genuine, voluntary & without any coercion or undue influence.

4.Q Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition?

Ans. There is only one victim i.e. complainant namely Bahadur Singh.

5.Q. Whether the accused is involved in any other FIR or not?



Ans. As per the police report of ICJS, FIR No.42 dated 07.02.2024 was registered against accused Pappu.”

7. 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.

8. The factum of compromise between the parties stood admitted on 29.08.2025 by the learned counsel appearing on behalf of respondent No. 2 and also affirmed during statement before the trial Court.

9. The broad principles for exercising the powers under Section 482 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. 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 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.

11. 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 is likely to be a waste of judicial time and there appears to be no chances of conviction.

12. 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 dispute arose between the parties due to old enmity and is purely personal in nature, emanating from strained*



interpersonal relations which doesn't warrant continuation of criminal proceedings.

- ii) Petitioner(s) no. 1, 2 and 3 are 58, 43, 37 years of age respectively and continued criminal incarceration will cause severe repercussions to the petitioner in discharge of his social obligations as well as in his work place.*
- iii) Petitioner(s) no 4 and 5 are 21 and 28 years respectively and continuation of criminal proceedings is likely to have a serious and disproportionate impact on his career and future prospects*
- iv) The FIR in question pertains to the year 2024 and the proceedings are still at an early stage.*
- v) Significantly, the parties have amicably compromised and settled their disputes with the intervention of respectable members of the society, thereby restoring peace and harmony between them.*
- vi) 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;*
- vii) 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.*



13. In view of the report of the Judicial Magistrate 1st Class, Karnal 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.426 dated 25.11.2024, under Section(s) 115, 190, 191 (3), 324(4) and 351 (2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Kunjpura, District Karnal, (Annexure P-1) along with all the subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise dated 19.08.2025 (Annexure P-2). However, the same would be subject to payment of costs of Rs.5,000/- to be deposited by each of the petitioner(s) with the Nishkam Sewa High Court Lawyers Society, Account No.43373609961, SBI, High Court Branch, Chandigarh, IFSC Code: SBIN0050306 within a period of two month(s) from receipt of certified copy of this order.

14. Petition is **allowed**.

(VINOD S. BHARDWAJ)
JUDGE

19.01.2026
Mangal Singh

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