



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

289

CRM-M-49092-2025 (O&M)

Date of decision: 19.01.2026

Amritpal Singh

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Hasrat Brar, Advocate for the petitioner(s).

Mr. Saurav Verma, Addl. A.G., Punjab.

Mr. Chirag Vansh, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No. 0088 dated 05.07.2025 under Sections 333, 115(2), 3(5) Bharatiya Nyaya Sanhita, 2023 registered at Police Station Mallanwala, District Ferozepur (Annexure P-1) on the basis of compromise/affidavit dated 22.08.2025 (Annexure P-2).

2. The instant FIR was registered on the statement of Jaswinder Kaur w/o Avtar Singh which reads as under:

"I am resident of above said address and I do domestic works. On 30.06.2025, the time was about 12:1/2 PM that I and my daughters Gurpreet Kaur, Mandeep Kaur daughters of Avtar Singh were present at our house that Amritpal Singh son of Sukhdev Singh resident of Chuchak Wind, who was carrying



Kirpana and an unknown person, whose face was covered was also accompanying him and he was carrying Gandasi and he immediately after coming called his friend and raised Lalkara that today we will teach them lesson that how the fake Panchayats are being arranged against us, then Amritpal Singh attacked upon me with the Kirpan carried by him, which hit from reverse side near my neck, then I started to run towards inside, then Amritpal Singh again attacked upon me, which hit from reverse side on my back, then he again attacked upon me, which hit above the little finger of my hand, then I raised alarm of Marta-Marta. They both along with their respective weapons fled away from the spot. The entire occurrence was seen by both of my daughters, then daughters, my daughter Mandeep Kaur and my brother's son namely Gagandeep Singh son of Amrik Singh resident of Uggoke after coming there and after arranging the vehicle got me admitted in Civil Hospital, Zira, where I am under treatment. Reason behind the grudge is that Amritpal Singh asks for the proposal of marriage with my daughter, but we refused his proposal and called him one-two times in the Panchayat. Due to this grudge, he has caused injuries upon my person and I am sufferer/complainant. The action may kindly be taken.”

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



4. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 04.09.2025 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 Judicial Magistrate 1st Class, Zira vide Memo No. 763 dated 04.10.2025. The relevant extract of the report is reproduced as under:-

- “(i) As per statement of Investigating Officer, there are two accused in this case. One is Amritpal Singh son of Sukhdev Singh resident of Chuchak Wind, District Ferozepur and the other culprit is unknown and has not been identified so far.*
- (ii) There is only one complainant/victim namely Jaswinder Kaur wife of Avtar Singh resident of Khosa Dal Singh, District Ferozepur.*
- (iii) Both above named complainant/victim and accused are party to compromise and both signed the same.*
- (iv) Both above named complainant/victim and accused are arrayed as party in the quashing petition filed before the Hon'ble Punjab and Haryana High Court.*
- (v) As per statement of Investigating Officer, accused has not been declared proclaimed offender/person and no such proceedings were initiated against him.*



(vi) *As per statements of the parties, the compromise is genuine, voluntary and without any coercion or undue influence.*

(vii). *There is no other aspect relevant to the present case.*”

6. Short reply filed by way of affidavit dated 24.12.2025 on behalf of respondent-State is already available on file and the same is taken on record. Registry is directed to do the needful.

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. 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.

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. 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 allegations in the FIR disclose a personal and family-centric dispute arising out of a rejected matrimonial proposal and subsequent Panchayat interventions and do not prima facie reflect any organised, premeditated or continuing criminal design.
- (ii) The incident appears to have occurred in the heat of the moment, triggered by accumulated resentment and emotional discord between the parties, rather than pursuant to a calculated intention to commit a grave offence.
- (iii) The petitioner is aged about 26 years and continuation of criminal proceedings is likely to have a serious and disproportionate impact on his career and future prospects and in the discharge of his social and professional obligations.
- (iv) The dispute is purely personal private in nature, emanating from strained interpersonal relations and does not involve any element of public disorder or societal impact warranting continuation of criminal proceedings.
- (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) In view of the compromise so arrived at, the likelihood of the complainant and material witnesses supporting the prosecution case is remote and the probability of securing a conviction is also bleak.
- (vii) The continuation of criminal proceedings in the face of an amicable settlement would serve no larger public purpose and would only result in unnecessary harassment of the parties and futile consumption of valuable judicial time.
- (viii) The offences alleged cannot be categorised as heinous or of such gravity as to shock the conscience of society at large or of this Court, particularly when the incident is rooted in a personal grievance.
- (ix) In the totality of the circumstances, the continuation of the FIR and all proceedings emanating therefrom would amount to an abuse of the process of law, and the ends of justice would be better served by quashing the same in view of the compromise effected between the parties.

13. In view of the report of the Judicial Magistrate 1st Class, Zira 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. 0088 dated 05.07.2025 under Sections 333,115(2), 3(5) Bharatiya Nyaya Sanhita,



2023 registered at Police Station Mallanwala, District Ferozepur (Annexure P-1), are hereby quashed qua the petitioner(s) on the basis of compromise/affidavit dated 22.08.2025 (Annexure P-2). However, the same would be subject to payment of costs of Rs.5,000/- to be deposited by each of the petitioners 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