



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

299

CRM-M-50916-2025
Date of decision: 20.01.2026

KARN KHANNA AND ANOTHERPetitioners

VERSUS

STATE OF HARYANA AND ANOTHERRespondents

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

Present: - Mr. Namit Khurana, Advocate
for the petitioners.

Mr. Omkar Singh Wahla, Sr. DAG, Haryana.

Mr. Omkar Chauhan, 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.192 dated
03.06.2025 under Sections 115, 287, 3(5) of the BNS, 2023 and Section 27 of
the Arms Act, 1959 registered at Police Station City Jagadhri, Yamuna Nagar
and along with all subsequent proceedings arising therefrom on the basis of
compromise dated 10.07.2025 (Annexure P-2).

2. The FIR in question came to be registered at the instance of Nikhil, son of Rajinder, against the petitioners, alleging that on 03.06.2025 at about 7:30 p.m., an altercation arose with a neighbouring shopkeeper concerning the removal of an LED display board. During the said incident, the petitioners arrived at the spot on a motorcycle and fired two gunshots from a licensed pistol, one of which struck the LED board, thereby aggravating the dispute. It is further stated that, in the course of the ensuing quarrel between the petitioners and the complainant–respondent No. 2, the complainant sustained injuries on his hand due to a broken glass bottle, which ultimately led to the registration of the aforesaid FIR.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

4. Pursuant to the order dated 11.09.2025, a report has been received from the Civil Judge (SD)-cum-ACJM, Yamuna Nagar at Jagadhri vide Memo No. 375 dated 15.10.2025. The relevant extract of the report reads thus:-

“Statements of the parties i.e. complainant Nikhil; and two accused Karn Khanna and Chetan Khanna in case FIR No.192 dated 03.05.2025 under Sections 115, 287, 3 (5) of BNS, 2023 and Section 27 of The Arms Act, 1959, Police Station City Jagadhri were recorded regarding the genuineness of compromise.

Statement of the Investigating Officer SI Jasmer Singh, No.56/A was recorded, who stated that there is one complainant and two accused in the present case. Challan was filed against

two accused: Karn Khanna and Chetan Khanna. There was no other accused apart from these two accused. Neither of the two accused is a proclaimed person/offender nor there is any other FIR pending against them.

Perusal of the statements of the parties and compromise Ex.CX show the parties they have amicably settled the matter after arriving at compromise Ex.CX, voluntarily without any pressure or coercion from any side. The compromise seems to be genuine. The parties were duly identified by their respective advocates.

Statement of the Investigating officer and the parties are being sent with the report in original, for kind perusal.

It is also submitted that the case is at the stage of arguments on charge and challan was filed on 29.09.2025.

5. 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.

6. Mr. Omkar Chauhan, Advocate appears on behalf of respondent No. 2 and reiterate the settlement and their concurrence to the quashing of the FIR alongwith all the other consequential proceedings.

7. The Hon'ble Supreme Court in the case of ***Yogendra Yadav & Others v. State of Jharkhand & Another*** reported as ***(2014) 9 SCC 653*** has held that although non-compoundable offences under Section 320 Cr.P.C. cannot be formally compounded, the High Court can still quash such criminal proceedings in appropriate cases by exercising its inherent powers under Section 482 Cr.P.C., if the parties have genuinely and voluntarily settled their dispute. The Court has held that this power must be exercised on a case-to-

case basis. Serious and heinous offences affecting society at large, such as rape or murder, cannot be quashed on the basis of compromise. However, where the dispute is purely personal, does not affect public peace, the victim has no objection, and continuation of proceedings would serve no useful purpose, the High Court may quash the case to secure the ends of justice and avoid unnecessary waste of judicial time. The relevant extract thereof reads as thus :

4. Now, the question before this Court is whether this Court can compound the offences under Sections 326 and 307 of the IPC which are non-compoundable. Needless to say that offences which are non-compoundable cannot be compounded by the court. Courts draw the power of compounding offences from Section 320 of the Code. The said provision has to be strictly followed (Gian Singh v. State of Punjab, 2012(4) RCR (Criminal) 543 : 2012(4) Recent Apex Judgments (R.A.J.) 549 : (2012)10 SCC 303). However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable. In which cases the High Court can exercise its discretion to quash the proceedings will depend on facts and circumstances of each case. Offences which involve moral turpitude, grave offences like rape, murder etc. cannot be effaced by quashing the proceedings because that will have harmful effect on the society. Such offences cannot be said to be restricted to two individuals or two groups. If such offences are quashed, it may send wrong signal to the society. However, when the High Court is convinced that the offences are entirely personal in nature and, therefore, do not affect public peace or tranquillity and where it feels that quashing of such proceedings on account of compromise would

bring about peace and would secure ends of justice, it should not hesitate to quash them. In such cases, the prosecution becomes a lame prosecution. Pursuing such a lame prosecution would be waste of time and energy. That will also unsettle the compromise and obstruct restoration of peace.

8. On consideration of the above, the following relevant factors emerge for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report submitted by the learned Civil Judge (Senior Division)-cum-Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri, that the parties have entered into a compromise voluntarily, which is genuine in nature and has been effected without any coercion, undue influence, or pressure.
- b. The allegations in the FIR disclose a sudden altercation and do not prima facie indicate any premeditated or calculated criminal intent on the part of the accused.
- c. The incident appears to have occurred in the heat of the moment, following an exchange of words and thereafter escalated into a scuffle.
- d. The petitioners are aged about 38 and 40 years respectively, and their continued involvement in criminal proceedings or incarceration is likely to cause serious and disproportionate hardship in the discharge of their social and familial obligations.
- e. The FIR in question pertains to the year 2025 and the

proceedings are still at a nascent stage. Significantly, the parties have amicably resolved their disputes and entered into a compromise of their own free will, with the intervention of respectable members of the society and bringing the criminal proceedings to an end at this juncture would promote peace, harmony and tranquillity between the parties.

- f. The offence(s) alleged can neither be characterised as heinous or of such gravity as to shock the collective conscience of society, nor do they partake the nature of offences that would shock the conscience of the Court.
- g. In view of the amicable settlement arrived at between the parties, the complainant is unlikely to support the prosecution case; consequently, continuation of the proceedings would serve no larger public interest and would merely result in an avoidable wastage of valuable judicial time.
- h. 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.

9. In view of the report submitted by the Civil Judge (SD)-cum-ACJM, Yamuna Nagar at Jagadhri and having regard to the settled principles laid down by the Hon ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No.192 dated 03.06.2025 under Sections 115, 287, 3(5) of the BNS, 2023 and Section 27 of the Arms Act, 1959 registered

at Police Station City Jagadhri, Yamuna Nagar and all other consequential proceedings arising therefrom are **hereby quashed** in view of the compromise dated 10.07.2025 (Annexure P-2).

Petition is allowed.

JANUARY 20, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No