



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-53138-2025
Date of decision: 04.02.2026

HARPREET SINGH AND OTHERSPetitioners
VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

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

Present: - Mr. Rajan Singh Dadwal, Advocate
for the petitioners.

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

None 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.88 dated 25.05.2024 under Sections 323, 341, 325, 506, 201 read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Sidhwan Bet, District Ludhiana Rural along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.08.2025 (Annexure P-2).

2. The present FIR was registered on the statement of Tanvir Singh son of Gurmeet Singh, the same reads as under:-

“.....Stated that I am a resident of the above address and does agriculture work. On 20.05.24 at around 10:30 PM, I received a call from my maternal uncle Amarjit Singh son of Gurdev

Singh resident of Tandora, police station Mehatpur, district Jalandhar at home that my tractor has met with an accident in front of Bhundri Government School, you went to the spot. I and my friend Harinderpal Singh son of Joginder Singh resident of Kelpur were coming to the spot from the house village Kelpur on our motorcycle at around 11 PM. When we were little behind the government school Bhundri, a swift car with 5 young persons and a motorcycle with 2 young persons on it, came from the front and surrounded me and a youth got out of the car and started abusing in name of my sister. To whom I said who are you to abuse me. Then he got angry and said that I am Jagroop Singh Leehan. At that moment, he hit me on the face with the iron bangle which he was holding in his hand. Due to which I suffered injury on my teeth and lips and blood started coming out of my mouth and his other accomplices together hit me in the head, face and chest with fist blows and they took me to the tractor by giving beatings. During the beatings, Rs. 10,000/- that I had put in my pocket were lost. They also tore my T-shirt at the spot. I fell on the ground due to dizziness. My uncle's tractor driver Charanjit Singh son of Mahinder Singh of Beetles had made a video at the spot. All the said persons fled away from the spot by riding on their respective vehicles, threatening me and abusing me. Then my friend arranged a private vehicle and took me to the Civil Hospital Jagraon. Where the doctor conducted my medical examination at 1:10 AM and issued the MLR and the doctor referred me to Ludhiana for CT scan. That I reached Civil Hospital Ludhiana at 11:00AM on 21.05.2024 where the doctor conducted CT scan. On 22.05.2024, I reached at Civil Hospital Jagraon. That since the doctor was not present, then on 23.05.2024, I got the treatment of teeth done. That on 24.05.2024, due to my deteriorating health, I stayed at my home. Based on the video made by my uncle's driver, my friend Harinderpal Singh

reached at village Leehan and investigated. Then, it has been found that the person who injured me is Jagroop Singh son of Davinder Singh, resident of Leehan, police station Dakha, district Ludhiana and I can identify those who are with Jagroop Singh when they will come in front of me. Because where the tractor was parked, the light was on there. Today, I came along with Harinderpal Singh son of Joginder Singh, resident of Kailpur and got my statement recorded to you. Heard, it is correct. Appropriate legal action be taken. Sd/ Tanvir Singh corroborated by Harinderpal Singh.”

3. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 19.09.2025 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.

4. Pursuant to the aforesaid order, a report has been received from the Judicial Magistrate 1st Class, Jagraon vide Memo No. 899 dated 06.10.2025. The relevant extract of the report reads thus:-

<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
88	25.05.2024	<i>Sidhwan Bet, District Ludhiana (Rural)</i>	<i>323, 341, 325, 506, 201, 34 of Indian Penal Code</i>

<i>Criminal Case No. before Trial Court</i>		<i>CHI-303-2024</i>
<i>1.</i>	<i>Name of the complainant/victims(s)/Aggrieved person(s)</i>	<i>Tanvir Singh son of Gurmit Singh,</i>

		<i>resident of Village Kailpur, Sub Tehsil Mullanpur Dakha, District Ludhiana.</i>
2	<i>Dates on which the statement(s) of the complainant/victim(s)/aggrieved person(s) were recorded.</i>	<i>03.10.2025</i>
3.	<i>Has the identify of the complainant/victims(s)/aggrieved person(s) have been verified?</i>	<i>Yes</i>
4.	<i>Whether all the victims/all the aggrieved persons have compromised the matter?</i>	<i>Yes</i>
5.	<i>Is there pressure, threat or coercion upon the victims(s)/aggrieved persons(s)/complainant?</i>	<i>No</i>
6	<i>Names of the accused person(s)</i>	<i>1. Harpreet Singh son of Sukhvir Singh, resident of village Leelan, Tehsil Jagraon, District Ludhiana.</i> <i>2. Jagroop Singh son of Davinder Singh, resident of village Leelan, Tehsil Jagraon, District Ludhiana.</i> <i>3. Amanjot Singh son of Surinderpal Singh, resident of village Leelan, Tehsil Jagraon, District Ludhiana.</i> <i>4. Sandeep Singh son of Amrik Singh, resident of village Leelan, Tehsil Jagraon, District Ludhiana.</i>

7.	<i>Dates on which the statement(s) of the accused person(s) recorded</i>	03.10.2025
8.	<i>Whether all the accused have compromised the matter? If so, then the names of the accused who have compromised.</i>	Yes.
9.	<i>Whether proclamation proceedings are pending against any accused?</i>	No
10.	<i>Has the police report then filed or not.</i>	Police report has already been filed on dated 16.08.2024
11.	<i>Notice of accusation/charges have been framed or not?</i>	Yes, Charge has been framed on dated 09.07.2025
12.	<i>Sections of statutes invoked in the matter</i>	323, 325, 341, 506, 201 read with Section 34 of Indian Penal Code.
13.	<i>Whether the Court is satisfied with the genuineness of the compromise?</i>	Yes.

5. Reply by way of affidavit of Jasjyot Singh, PPS, DSP, Jagraon, District Ludhiana (Rural) already stands filed on behalf of respondent-State and the same is taken on record.

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. Although there is no representation for respondent No.2 today, learned Counsel for the said respondent had stated on instructions on the last date of hearing that he had no objection to the FIR and all consequent proceedings being quashed.

8. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure 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' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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.

9. 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 of Judicial Magistrate First Class, Jagraon that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. The FIR in question pertains to the year 2024 and therefore, the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquillity among parties;
- c. Petitioners No.1 and 3 are in their thirties, Petitioner No.2 is 28, while Petitioner No.4 is 40 years old. Continuation of criminal proceedings would have a serious and disproportionate impact on their prospects and affect the discharge of their social and professional obligations.
- d. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the

society. It can also not be termed as one shocking to the conscience of the Court;

10. In view of the report submitted by the Judicial Magistrate 1st Class, Jagraon 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.88 dated 25.05.2024 under Sections 323, 341, 325, 506, 201 read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Sidhwan Bet, District Ludhiana Rural along with all subsequent proceedings arising therefrom, **is hereby quashed** in view of the compromise dated 26.08.2025 (Annexure P-2). However, the same would be subject to payment of costs of **Rs.7500/-** to be deposited by each of the petitioners with the ***Red Cross Old Age Home, A/c No.50100286016319, IFS Code HDFC0004030, HDFC Bank, Sector 15, Panchkula*** within a period of two months of receipt of certified copy of this order.

Petition is allowed in the above terms.

(VINOD S. BHARDWAJ)
JUDGE

FEBRUARY 04, 2026
Vishal Sharma

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