



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-53049-2025
Date of decision: 12.02.2026

BABU RAM AND OTHERSPetitioners

VERSUS

STATE OF HARYANA AND ANOTHERRespondents

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

Present: - Mr. Arun Chander Sharma, Advocate
for the petitioners.

Mr. Paras Talwar, Senior DAG, Haryana.

Mr. Vikram K. Bishnoi, 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.466 dated 25.08.2025 under Sections 115, 118(1), 3(5), 351(2) of the BNS, 2023 registered at Police Station Karnal Civil Lines, District Karnal along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.09.2025 (Annexure P-2).

2. The present FIR was registered on the statement of Sonu Dhul son of Dalbir Singh, resident of Village Padha, the relevant extract of the

same reads thus:-

“.....I work as a soil excavator with JCB. I had terms regarding the transaction of soil with Babu Ram s/o Antu Ram and Pale Ram s/o Antu Ram, residents of village Jani and in between which Sukhbir resident Jani also used to come in the conversation with Babu Ram. Today on 25-8-25, I and Johnny s/o Collector resident Pabana, came in our car to get a second agreement made for increasing the rate of soil, despite the accident. So these three, Babu Ram, Pale Ram, and Sukhbir were also here. We told all three of them that we don't want to give the soil, then return the Rs. 160000 which we have given to you. When nothing worked out, Pala Ram took Johnny away from me and I sat in my car no. HR48B2897. My car was parked near the lawyers chamber. Sukhbir and Babu Ram came near my car and Sukhbir sat on the back seat of my car and Babu Ram caught my neck with the curtain and Sukhbir stabbed me several times on my stomach and chest due to which I got knife wounds on my stomach and chest. After that Pala Ram also came to the spot and then all three of them gave injuries to me inside the car. After that Johnny came and all three of them threatened to kill me and left the spot. Then due to my severe injuries, Johnny brought me to the hospital in an unconscious state. I am now undergoing treatment in the Civil hospital, please take legal action against Babu Ram, Sukhbir and Palaram.”

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 19.09.2025, costs has been

deposited and a report has also been received from the Judicial Magistrate 1st Class, Karnal vide Memo No. 1 dated 14.11.2025. The relevant extract of the report reads thus:-

“(viii) There are three accused namely Babu Ram, Pala Ram and Sukhbir in the present FIR.

(ix) There is only complainant namely Sonu Dhull.

(x) Yes, all three accused persons and complainant party to the compromise signed the statement before the Court.

(xi) No other person is left out as party in the quashing petition before Hon'ble High Court.

(xii) Accused Babu Ram, Pala Ram and Sukhbir were never declared proclaimed offender in the present FIR.

(xiii) Yes, the compromise between the parties is valid and genuine and has been effected without there being any kind of influence or coercion.

(xiv) No other relevant aspect in the present FIR.”

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. Vikram K. Bishnoi, Advocate appear 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 of Judicial Magistrate First Class, Karnal 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 has been registered on account of altercations amongst the parties due to business transactions concerning rate revision and return of advance money.
- c. Petitioners are in the age bracket of 41-51 years and their continued incarceration in a criminal case will cause severe repercussions to the petitioners in discharge of their social obligation as well as at their work place.
- d. The FIR in question pertains to the year 2025 and therefore; the case is still at an initial stage. Putting an end to the proceedings will bring peace and tranquility among parties.

- e. 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;
- f. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

9. In view of the report submitted by the Judicial Magistrate First Class, Karnal 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.466 dated 25.08.2025 under Sections 115, 118(1), 3(5), 351(2) of the BNS, 2023 registered at Police Station Karnal Civil Lines, District Karnal and all other consequential proceedings arising therefrom **are hereby quashed** in view of the compromise dated 15.09.2025 (Annexure P-2).

Petition is allowed.

FEBRUARY 12, 2026

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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