



**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**272**

**CRM-M-55334-2025(O&M)**

**Date of decision: 05.05.2026**

Vipin Khatana and others

...Petitioner(s)

VERSUS

State of Haryana and others

...Respondent(s)

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

Present :- Mr. G.S. Dhot, Advocate for the petitioners.

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

Mr. Sidhant, Advocate for respondents No.2 & 3.

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**VINOD S. BHARDWAJ, J. (Oral)**

Prayer in the present petition is for quashing of case bearing FIR No.488 dated 01.09.2022 registered under Sections 147, 148, 149, 279, 323, 336, 427, 506 Indian Penal Code, 1860 at Police Station City Sohna, District Gurugram alongwith all consequential proceedings arising therefrom, on the basis of compromise dated 25.08.2025 (Annexure P-3).

2. The facts of the present case, in brief, are that the FIR was registered on the complaint lodged by Jaikaran son of Bisram, resident of Village Rithoj, Gurugram, who stated that he is an advocate by profession and practices at the Courts at Sohna and Gurugram. As per the allegations levelled in the complaint, an earlier incident had taken place on 15.06.2022, wherein his cousin Mohit son of Santram, was attacked by Vipin, Rocky, resident of Kadarapur, Shiv Boka, resident of Darbaripur, Raje, resident of Kadarapur and others at Ramgarh Chowk, in respect whereof FIR No. 175 of 2022 had already been registered at Police Station Sector 65. It was further

alleged that on 19.06.2022, Vipin, resident of Khedla, along with three other persons, had attempted to hit the vehicle of his brother with a Scorpio vehicle bearing registration No. HR26DJ0789 and a complaint in that regard was stated to be pending at Police Station Bhondsi. According to the complainant, owing to the aforesaid incidents, the accused persons harboured personal enmity against him and his family members. The complainant further alleged that on 01.09.2022, he along with his brother Mohit had been called by ACP South to Police Station Bhondsi in connection with investigation. After leaving the police station at about 2:00 PM in their vehicle bearing registration No. HR72F1738, they proceeded to Sohna Court and thereafter went to the vegetable market at Sohna. It was alleged that at about 2:45 PM, when they had purchased vegetables and were seated in their Brezza vehicle, Vipin struck their vehicle from the front with his Scorpio vehicle bearing registration No. HR26DJ0789 at high speed. It was further alleged that 7-8 unidentified persons accompanying the accused attacked their vehicle with sticks and pipes, causing damage to the rear glass of the car. According to the complainant, they somehow managed to flee from the spot in order to save themselves, but the accused persons chased them and threatened them with dire consequences for approaching the police authorities against them. The complainant further alleged that the accused persons proclaimed that they enjoyed influence within the police department and would not be proceeded against. It was also alleged that the present occurrence constituted the third attack upon the complainant and his brother by the accused persons and that

the accused persons were moving about fearlessly without any apprehension of the law.

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

4. The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 30.09.2025 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 First Class, Sohna, vide Memo No.199 dated 20.11.2025. The relevant extract of the report is reproduced as under:-

*“In above mentioned order, the trial Court/Illaq Magistrate was further directed to submit report on 14.01.2026 and containing the following information, which is submitted as under :-*

*1. Five persons were arrayed as accused persons namely 1. Vipin son of Gyanchand, R/o Village Khedla Ki Dhani, Bhondsi, Gurugram, Haryana, 2. Anil son of Gudda, R/o Village Mant, Mathura, Uttar Pradesh, India, 3. Abhishek son of Mahabir. R/o Village Badha, Khedki Daula, Gurugram, Haryana, 4. Rajesh Singh @ Raj Singh @ Raje son of Darkhash Singh, R/o Kadarapur, Sector-65, Gurugram, Haryana in the present FIR. Further, out of five, one accused namely Rocky has passed away 19.09.2025. The challan was also presented against five accused persons. on*

*2. That, there is one complainant namely Jai Karan and one victim namely Mohit in the present FIR.*

3. *All the accused persons and complainant/victim(s) are involved as parties in the compromise.*

4. *Statement of IO/HC Manbir, Belt No. 782/GGM, P. S. City Sohna recorded wherein it is stated that Sh. Jai Karan son of Bishram is the (complainant) and Mohit son of Santram (victim/injured) is the one victim in the present FIR No.488 dated 01.09.2022, under Sections 147, 148, 149, 323, 336, 279, 427 and 506 of Indian Penal Code, P. S. City Sohna. Gurugram. It is further stated that a total of five accused persons namely Vipin son of Gyan Chand, Anil son of Gudda, Abhishek son of Mahabir, Rocky (died on 19.09.2025) and Rajesh Singh @ Raje @ Raj Singh son of Darkash; are involved in the present FIR. That, all the accused persons and complainant/victim are parties involved in the compromise and have signed the same. That the accused namely Rocky has passed away and therefore has been left out as party in the quashing petition filed before the Hon'ble High Court. That none of the accused person has been declared proclaimed offender. That no other FIR is pending against any of the accused persons. That, the present petitioner is not involved in any other case. That all the victims/injured/complainants have been impleaded as respondents in the petition filed before the Hon'ble High Court.*

5. *That one accused namely Rocky has passed away since and has therefore been left out as party in the quashing petition filed before the Hon'ble High Court.*

6. *None of the accused persons have been declared proclaimed offender and no such proceedings has initiated against any of them in the present case.*

7. *Yes, compromise is genuine, voluntary and without any*

*coercion or undue influence.*

*8. That petitioner is not involved in any other case.*

*9. The accused Rocky has been passed away on 19.09.2025. His death verification report has been received on record through concerned Investigating Officer.”*

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. Learned counsel for respondents No.2 & 3 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

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. In the matter of **BS Joshi v State of Haryana, 2003 (2) RCR (Criminal) 888,** Hon’ble Supreme Court observed that for the purpose of

securing the ends of justice, quashing of FIR on the basis of compromise in non compoundable offence is permissible.

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. The genesis of the dispute lies in personal animosity and inter se rivalry between the parties arising out of earlier complaints and FIRs lodged against each other, which subsequently escalated into the present occurrence. The dispute, therefore, remains essentially private and personal in nature, confined to the parties concerned and does not involve any overarching public or societal ramifications.
- b. The allegations stem from a background of continuing hostility between the parties and do not disclose any offence affecting public peace, public order or the collective conscience of society so as to warrant continuation of criminal proceedings despite settlement between the parties.
- c. The petitioners are stated to be middle-aged individuals having established familial, social and professional responsibilities and continuation of criminal proceedings would seriously prejudice their livelihood, reputation and ability to discharge their obligations towards their families and society.
- d. With the intervention of respectable members of society and well-wishers, the parties have now amicably resolved all their disputes and differences and have entered into a compromise

voluntarily, out of their own free will and without any coercion, pressure or undue influence.

- e. In view of the settlement so arrived at, the complainant no longer wishes to pursue the matter and is unlikely to support the prosecution case during trial, thereby rendering the possibility of conviction remote, uncertain, and bleak.
- f. The offences alleged, in the peculiar facts and circumstances of the present case, cannot be characterised as heinous offences of extreme depravity or such gravity as would shock the conscience of society at large or that of this Court.
- g. Continuation of criminal proceedings in spite of the compromise would only revive bitterness between the parties and perpetuate unnecessary litigation, rather than advancing the cause of peace and harmony and wastage of valuable judicial time and resources.
- h. There is nothing on record to suggest that the petitioners are habitual offenders or involved in any continuing criminal activity, thereby indicating that the occurrence was isolated and arose out of personal vendetta between the parties.
- i. The proceedings are likely to consume substantial judicial time with little likelihood of a fruitful outcome, particularly when the parties themselves have chosen to bury their differences and restore cordial relations
- j. In the totality of the facts and circumstances, it is submitted that continuation of the FIR and all consequential proceedings



would amount to an abuse of the process of law and that the ends of justice would be better served by quashing the same in view of the genuine compromise effected between the parties.

10. In view of the report of the Judicial Magistrate First Class, Sohna and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The FIR No.488 dated 01.09.2022 registered under Sections 147, 148, 149, 279, 323, 336, 427, 506 Indian Penal Code, 1860 at Police Station City Sohna, District Gurugram alongwith all consequential proceedings arising therefrom is hereby quashed in view of the compromise dated 25.08.2025 (Annexure P-3) subject to deposit of costs of Rs.30,000/- (in total) with the "Poor Patient Welfare Fund (PPWF) of Post Graduate Institute of Medical Education & Research, Chandigarh" within a period of 02 months from receipt of certified copy of this order.

11. Petition is **allowed** in the above terms.

**05.05.2026**

*SumitGusain*

**(VINOD S. BHARDWAJ)  
JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*