



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

256

Date of decision: 23.01.2026

CRM-M-56158-2025

GURPREET SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CRM-M-56181-2025

GURNAM SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - Ms. Arzoo Modi, Advocate
for the petitioners in CRM-M-56158-2025 and
for respondents 2 & 3 in CRM-M-56181-2025.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Ms. Apurna Walia, Advocate for
Mr. Sunpreet Singh, Advocate
for respondents No.2 to 4 in CRM-M-56158-2025 and
for the petitioners in CRM-M-56181-2025.

VINOD S. BHARDWAJ, J. (Oral)

1. Both the petitions are being decided by this common order, as
they arise out of the version and cross-version in the same FIR and from the

corresponding General Diary entry. For the sake of convenience and brevity, the facts are being adverted to from CRM-M-56158-2025.

2. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No. 140 dated 26.08.2025 registered under Sections 117(2), 115 (2), 191 (3), 190 of BNS, 2023 at Police Station Jhabal, District Tarn Taran along with all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2025 (Annexure P-2) effected between the parties.

3. The FIR in question came to be registered on the statement of Gurnam Singh, resident of Village Padhri Kalan, who stated that he has two sons, namely Lovepreet Singh and Malkit Singh and that in front of his house there is a provision store belonging to Gurwinder Singh @ Kaka, son of Sewa Singhand that Gurpreet Singh, son of Sewa Singh, used to park his scooter in front of the said shop without any justification, thereby creating obstruction and frequently provoking quarrels. Despite repeated requests made through respectable persons of the village, Gurpreet Singh did not desist from such conduct. It is further stated that on 10.07.2025 at about 4:00 p.m., on account of the death of the complainant's sister-in-law, the family was proceeding towards the cremation ground. At that time, due to the scooter being parked in the way, the complainant's son Lovepreet Singh requested Gurpreet Singh to park his scooter at the house of Gurwinder Singh @ Kaka. Gurpreet Singh retorted defiantly and refused to remove the scooter, whereupon Lovepreet Singh recorded a video of the scooter on his mobile phone. Gurpreet Singh then summoned Gurwinder Singh @ Kaka, Jashandeep Singh, son of Jasbir Singh, Jasbir Singh, son of Balkar Singh

and Gurdev Singh, son of Sewa Singh, all of whom arrived at the spot armed with a dang, datar and sticks and raised a lalkara to teach Lovepreet Singh a lesson for making the video. According to the complainant, Gurdev Singh inflicted a stick blow on the left arm of Lovepreet Singh, resulting in a fracture and causing him to fall to the ground, whereafter Gurwinder Singh @ Kaka and Jasbir Singh continued to assault him with sticks. When Malkit Singh intervened to rescue his brother, Gurwinder Singh @ Kaka struck him repeatedly with a stick, causing him also to fall. It is further stated that Jashandeep Singh then inflicted a datar blow on the head of Lovepreet Singh, causing profuse bleeding. Upon Malkit Singh raising an alarm, the accused persons fled from the spot with their respective weapons. The complainant thereafter got both his sons admitted to Civil Hospital, Jhabal, from where they were referred to Civil Hospital, Tarn Taran, leading to the registration of the present FIR.

4. The cross-version leading to entering of the G.D No.41 dated 06.09.2025 on the statement of Gurdev Singh son of Sewa Singh resident of Phadri Kalan, reads thus:-

“I am resident of above said address and doing labour work. My brother Gurwinder Singh has made the provisional shop in village and my stand my Aactiva on the shop on dated 10.07.2025 at time about 4:00 PM Lovepreet Singh having stick, Malkit Singh having stick sons of Gurnam Singh son of Kashmir Singh having kirpan, Jagtar Singh son of Sukhdev Singh having Gandasi, Partap Singh son of Lakhwinder Singh having stick, Lakhwinder Singh son of Bharpur Singh empty handed and Lakhwinder Singh raised lalkra to caught hold him and teach him lesson for standing Aactiva in street. In the meantime, Gurnam Singh gave kirpan blow on my wrist,

Lovepreet Singh gave the stick blow upon me and in the meantime my brother Gurpreet Singh tried to escape me. Jagtar Singh gave Gandasi Blow from reverse side on left leg of Gurpreet Singh then Malkit Singh and Partap Singh gave stick blow upon Gupreet Singh. We raised raula Marta Marta and all the persons ran away from the spot with their weapons. I and my brother Gurpreet Singh were admitted in Civil Hospital Jabhal by arranging vehicle by our nephew Jagdeep Singh where doctor sahib referred us to Tarn Taran. We remained admitted there upto 14.07.2025. Respectable persons tried to make the compromise but could not be affected. Today I came present in police station to record my statement. Legal action be taken against accused.”

5. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 09.10.2025 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. A similar direction was given vide order of even date in CRM-M-56181-2025.

6. Pursuant to the said order, costs of Rs. 5,000/- by each of the petitioners has been deposited and a report has also been received from the Judicial Magistrate 1st Class, Tarn Taran vide Memo No. 960 dated 14.11.2025. The relevant extract of the report reads thus:-

“(i) Total number of person found involved as accused in the dispute/FIR:

Having gone through the statement of the parties, this Court finds that there are five accused namely Gurpreet Singh son of Sewa Singh, Gurdev Singh son of Sewa Singh, Gurwinder Singh son of Sewa Singh, Jasbir Singh son of Bakar Singh and Jashandeep Singh son of Jasbir Singh who are nominated as accused in the present FIR.

(ii) Number of complainant/victim(s):

*Having gone through the statements of the parties, this court finds that **there are three complainant namely Gurnam Singh son of Kashmir Singh, Lovepreet Singh son of Gurnam Singh and Malkit Singh son of Gurnam Singh** who are the complainant/victim(s) in the present FIR.*

(iii) Whether all the accused and complainant/victims are party to compromise and signed the same:

Having gone through the statements of the parties, this court finds that all the accused and complainant/victims are party to compromise and signed the same.

(iv) In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR His/her statement is still to be recorded, in compliance to the direction of this court, details of such person:

Having gone through the statements of the parties, this court finds that no any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before Hon'ble High Court.

(v) Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication:

Having gone through the statements of the parties, this court finds that the accused have not been declared proclaimed offender by any competent Court of law nor any such proceeding have been initiated and pending against them.

vi) Report of court whether compromise is genuine, voluntary and without any coercion or undue influence:

*So as to give opinion with regard to genuineness or otherwise of the compromise, the undersigned had recorded statement of **complainant namely Gurnam Singh, Lovepreet***

Singh and Malkit Singh who are the complainant in the case titled as "Gurpreet Singh & others Versus State of Punjab and others".

In their statement, the present complainant had stated that the present FIR was registered at their instance against the present accused.

They further stated that now with the intervention of the respectable persons of the society and other close concerned persons, they with their own sweet will and consent, without there being any pressure or coercion or any undue influence from any quarter has entered into the compromise with the accused persons. They further stated that the compromise was executed with their free will and consent, fully understanding the consequences of the same. They have placed on record photocopy of their Aadhar cards as Ex.C7 to Ex.C9.

They further stated that they are suffering the present statement with their free will and consent, fully understanding the legal consequences of the same, without there being any pressure, coercion or undue influence from any quarter.

They further stated that they have arrayed the accused namely Gurpreet Singh, Gurdev Singh, Gurwinder Singh, Jasbir Singh and Jashandeep Singh as accused in the present case. They further stated that they have no objection, if the present accused are acquitted from the present case on the basis of compromise so effected between them. No other case or complaint is pending between them and they are party to this compromise and none of them have been declared proclaimed offender by any competent court of law nor any such proceedings have been initiated or pending against them and none of them is left out or not arrayed as party in this quashing petition. They were duly identified by their counsel Sh. Santokh Singh Advocate.

Similarly, the joint statement of accused/petitioners was also recorded, wherein they had stated that the present FIR was registered against them on the statement of complainant Gurnam Singh, Lovepreet Singh and Malkit Singh.

They further stated that with the intervention of the respectable persons of the society and other close concerned persons, they with their own sweet will and consent, without there being any pressure from any quarter, had voluntary entered into the compromise with the complainant with their free will and consent. A written compromise has already been executed between the parties and the same is Ex.C1 and they identified their signatures on the same. They had placed on record photocopy of their Aadhar cards as Ex.C2 to Ex. C6.

They further submitted that they are suffering the present statement with their free will and consent, fully understanding the legal consequences of the case, without there being any pressure, coercion or undue influence from any quarter.

They humbly prayed that the present FIR along with other consequential proceedings may kindly be quashed against them and they may be acquitted on the basis of compromise so effected between them. They all are party to this compromise i.e themselves and the complainant and apart from them no other person is involved in the present case and were not declared proclaimed offender by any competent court of law and no any criminal case is pending against them and none of them is left out or not arrayed as party in the quashing petition. **They were duly identified by their counsel Sh. Karanbir Singh, Advocate.**

(vii) Any other aspect relevant to the present case.

No other aspect relevant to the present case was

brought to the notice of the court of the undersigned either by complainant or by accused party and hence no other aspect is involved.

Thus, from the statements of the parties and the compromise deed placed on record, this court finds that the parties to the petition had suffered their statement in the court with their own sweet will and consent and after having understood the legal consequences of the same and having consulted their lawyer/counsels and the parties have actually compromised the matter and it is for their benefit.

7. A similar report has also been received in the second case as well. The same not being disputed and being similar needs no reiteration.

8. Short reply by way of affidavit of Sukhbir Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran already stands filed on behalf of respondent-State in CRM-M-56181-2025 and the same is taken on record.

9. 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.

10. Ms. Apurna Walia, Advocate for Mr. Sunpreet Singh, Advocate appear on behalf of respondents No.2 to 4 in CRM-M-56158-2025 and for the petitioner(s) in CRM-M-56181-2025 and reiterate the settlement and their concurrence to the quashing of the FIR alongwith all the other consequential proceedings.

11. 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.

12. 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, Tarn Taran 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 incident arose out of a sudden and trivial dispute relating to parking of a scooter in front of the complainant's house, which escalated on the spur of the moment, without any premeditation or prior criminal design.
- c. The occurrence is rooted in a neighbourhood altercation between known persons, arising from momentary provocation and heightened emotions, particularly in the backdrop of a bereavement in the complainant's family on the same day.
- d. The dispute is essentially personal in nature and does not involve any element of public interest, public peace or

societal impact warranting continuation of criminal proceedings.

- e. Subsequent to the registration of the FIR, the parties have resolved their differences amicably and have chosen to restore cordial relations.
- f. In view of the settlement, the complainant is unlikely to support the prosecution case and the continuation of the proceedings would have little or no likelihood of resulting in conviction.
- g. The offence(s) alleged cannot be categorised as heinous or such as would shock the conscience of the Court or the collective conscience of society.
- h. Permitting the criminal proceedings to continue despite settlement would serve no useful purpose and would only result in unnecessary harassment of the parties and wastage of valuable judicial time.
- i. Quashing of the FIR in the facts and circumstances of the case would secure the ends of justice, promote peace and harmony between the parties and prevent abuse of the process of law.

13. In view of the report submitted by the Judicial Magistrate First Class, Tarn Taran 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. 140 dated 26.08.2025 registered under Sections 117(2), 115 (2), 191 (3), 190 of BNS, 2023 at Police Station Jhabal, District

Tarn as well as DDR No. 041 dated 06.09.2025 under section 118(2), 115(2), 191(3), 190 of BNS, 2023 registered at Police Station Jhabal, District Tarn Taran and all other consequential proceedings arising therefrom **are hereby quashed** in view of the compromise dated 13.09.2025 (Annexure P-2).

Petition is allowed.

JANUARY 23, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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