



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

275

CRM-M-55884-2025
Date of decision: 27.01.2026

RAVINDER

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

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

Present: - Mr. Vishal Malik, Advocate
for the petitioners.

Mr. Onkar Singh Wahla, D A.G. Haryana.

Mr. Deepak Malik, 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. 940 dated 11.10.2023 registered under Sections 120-B, 34, 406, 420, 468 and 471 of the IPC (during investigation, Sections 34, 120-B and 406 of the IPC deleted while Section 467 of the IPC was added) at Police Station Samalkha, District Panipat along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.09.2025 (Annexure P-2).

2. The FIR in question came to be registered on the complaint of

Narender Singh against the petitioner and one Poonam, an employee of Punjab National Bank. It is stated that the complainant had issued a cheque for an amount of Rs.2,50,000/- in favour of the petitioner, wherein the amount was filled only in figures. It is further stated that the petitioner, by effecting a deliberate alteration in the cheque, converted the digit “2” into “7” and additionally filled the amount in words as “Rupees Seven Lacs Fifty Thousand”. It is stated that Poonam, in her capacity as an employee of the bank, dishonestly facilitated the encashment of the altered cheque amount. On these allegations, the present FIR has been registered.

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 01.10.2025, a report has been received from the Sub Divisional Judicial Magistrate, Samalkha vide Memo No. 460 dated 27.11.2025. The relevant extract of the report reads thus:-

“1. It is stated that there is only one person arrayed as accused in the FIR, namely Ravinder, aged 46 years, son of Shri Shamsher, Resident of village Jaurasi Saraf Khass, Tehsil Samalkha, District Panipat.

2. It is stated that there is only one complainant namely Narender son of Shri Omparkash, age 43 years, R/o Village Jaurasi Saraf Khalsa, Tehsil Samalkha, District Panipat.

3. It is stated that all the accused and complainant /victim are party to compromise.

4. It is stated that no person is left out or not arrayed as

party in the quashing petition.

5. *It is stated that no accused has been declared proclaimed offender.*

4. *It is further humbly submitted that there is only one person found involved as accused in the dispute / FIR.*

5. *It is further humbly submitted that there are only one complainant namely Narender.*

6. *It is further humbly submitted that all the accused and complainant / victims are party to compromise and have signed the same.*

7. *It is further humbly submitted that no person is left out or not arrayed as party in the quashing petition.*

8. *It is further humbly submitted that no accused persons have been declared proclaimed offender in this case.*

9. *It is further respectfully submitted that statement of the appearing parties is genuine and not result of any pressure, coercion in any manner. Compromise effected between the parties is genuine and valid.*

10. *Report is submitted for kind perusal of the Hon'ble Punjab & Haryana High Court, Chandigarh."*

5. Reply by way of an affidavit of Narender Singh, HPS, Deputy Superintendent of Police, Samalkha, Panipat already stands filed 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. Mr. Deepak Malik, 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.

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.s

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. A perusal of the status report filed by the State reveals that accused Poonam, employee of the bank, was found innocent during the course of investigation and was accordingly exonerated. Consequently, the dispute stands confined only to the petitioner–accused and respondent No. 2–complainant.

10. 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 Sub Divisional Judicial Magistrate Samalkha that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. Petitioner is aged 46 years and continued incarceration in a criminal case will cause severe repercussions to the petitioners in discharge of his social and professional obligations.
- c. The dispute arises out of a financial transaction involving a cheque and alleged alteration thereof, which is essentially private and personal in nature, with no continuing impact on

public peace or societal order.

- d. The offence(s) alleged cannot be termed as heinous or such as would shock the conscience of the Court or the collective conscience of society, particularly in the absence of any wider public ramifications.
- e. In view of the compromise, the complainant has unequivocally stated that he does not wish to pursue the criminal proceedings any further.
- f. The likelihood of the complainant supporting the prosecution case after the compromise is remote and continuation of the proceedings would thus have no realistic prospect of resulting in conviction.
- g. Permitting the criminal proceedings to continue despite the settlement would serve no larger public purpose and would only result in unnecessary harassment of the parties and wastage of valuable judicial time.
- h. Quashing of the FIR in the facts and circumstances of the case would secure the ends of justice, restore harmony between the parties, and prevent abuse of the process of law.

11. In view of the report submitted by the Sub Divisional Judicial Magistrate Samalkha 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. 940 dated 11.10.2023 registered under Sections 120-B, 34, 406, 420, 468 and 471 of the IPC (during investigation, Sections 34, 120-B and 406 of the IPC deleted while Section 467 of the IPC was added)

at Police Station Samalkha, District Panipat and all other consequential proceedings arising therefrom **are hereby quashed** in view of the compromise dated 22.09.2025 (Annexure P-2).

Petition is allowed.

JANUARY 27, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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