

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

278

2026:PHHC:023062



CRM-M-56653-2025 (O&M).
Date of decision: 12.02.2026.

POOJA KAMBOJ

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Ms. Kushager Goyal, Advocate,
for the petitioner.

Mr. Armaan Dahiya, AAG, Haryana.

Mr. Himanshu Setia, Advocate, and
Ms. Pallavi, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing of FIR bearing No.349 dated
14.08.2025 under Section(s) 115, 118(1) and 351(2) of the Bharatiya Nyaya
Sanhita, 2023, registered at Police Station Civil Line Sirsa, District Sirsa,
along with all subsequent proceedings arising therefrom on the basis of

compromise dated 24.09.2025 (Annexure P-2).

The aforesaid FIR was registered on the complaint of Ankit Bajaj son of Sh. Ashok Kamboj. The translated version of the same is reproduced as under: -

I am married and I have a son named as Murad Kamboj aged 3 years. On 11-08-2025 at about 7.30 PM I was present at my house. My wife Pooja Kamboj said that come and clean the utensils in the kitchen with me and my mother Santi Devi has already gone to my sister Shobhana Kamboj in Canada (abroad) for about 2 months. My wife Pooja started asking when will your mother come from Canada. I said that she will come to us on 15th September 2025. After that my wife Pooja started telling me that I am not your father's servant that I will cook your roti. Then I said that you should not make noise and be quiet. I said that why are you saying this repeatedly by touching my wife's hand and then my wife hit me on my back with my stick. Then the stick was snatched by me from my wife, then I picked up my crying son, then my wife again took a small glass slab which was placed on the TV stand and hit me near my right eye and my son also got hurt on his forehead, then my wife along with my son Murad Kamboj went to her maternal home in village Bajeka, district Sirsa, I came to the Government Hospital Sirsa for my treatment and the doctor bandaged me and I went to my house, then the next day the doctor admitted me for treatment and now my treatment is going on in the Government Hospital Sirsa, my wife Pooja Kamboj has hit me without any reason, my wife Pooja Kamboj has threatened me that she will kill me and will get me implicated in a false case in future. I got you to write my statement, read it through, and understood that it is correct.”

Status report already filed on behalf of the respondent-State is

taken on record.

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 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.

Pursuant to the said order, report has been received from the Chief Judicial Magistrate, Sirsa, vide Memo No.1083 dated 01.11.2025. The relevant extract of the report is reproduced as under:-

Further, the point wise information is as under: -

- 1. FIR was registered against one (1) person namely Pooja Kamboj.*
- 2. Only Ankit Kamboj was complainant.*
- 3. Accused Pooja Kamboj and Complainant are party to compromise and signed the same.*
- 4. No any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition.*
- 5. As per statement of Investigating Officer, no accused was declared proclaimed offender in any case or no other criminal proceeding are pending against accused.*
- 6. As per statement of parties, the compromise is considered to be genuine, voluntary, and without any coercion or undue influence.*
- 7. No any other aspect relevant to the present case.”*

Learned counsel for respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed. Costs stand paid.

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.

The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) 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'. The relevant paragraphs are extracted as under: -

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.”

The following relevant factors emerge from perusal of the case as well as the subsequent developments supplementing a case for invocation of the powers under Section 528 BNSS:-

- (i) The genesis of registration of FIR in the present case is dispute between husband and wife which is purely familial and private in nature, emanating from matrimonial discord and inter se differences within the family and does not involve any offence having a serious impact on society at large.
- (ii) The parties have amicably resolved their disputes, and the compromise has been effected voluntarily, without any coercion, pressure or undue influence, thereby restoring peace and harmony within the family.
- (iii) The allegations pertain to an isolated incident arising out of domestic discord and do not disclose any element of

heinousness or brutality so as to shock the collective conscience of society.

(iv)Petitioner is about 36 years old and her husband i.e. respondent No.2-complainant is about 30 years old and continuation of criminal proceedings would cause disproportionate prejudice to their personal, professional and social standing.

(v)Prolonged criminal litigation at this stage would serve no reformatory or deterrent purpose subjecting her to continued criminal prosecution would have a serious and irreversible adverse impact on his future prospects.

(vi)There is nothing on record to suggest that the petitioner is habitual offenders or that her conduct poses any continuing threat to public order or societal interest.

(vii)In view of the compromise, the likelihood of conviction is remote, as the complainant is no longer inclined to support the prosecution version, rendering continuation of the proceedings a futile exercise.

(viii)The continuation of criminal proceedings, despite settlement, would amount to an abuse of the process of law and would result in unnecessary harassment of the parties and wastage of valuable judicial time.

In view of the report of the Chief Judicial Magistrate, Sirsa and the principles laid down by the Apex Court in **'Parbatbhai Aahir @**

Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another” (2017) 9 SCC 641', the instant petition is allowed. FIR bearing No.349 dated 14.08.2025 under Section(s) 115, 118(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Civil Line Sirsa, District Sirsa, along with all subsequent proceedings arising therefrom is hereby quashed on the basis of compromise dated 24.09.2025 (Annexure P-2) entered between the parties.

Petition is allowed in above terms.

February 12, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No