

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026 PHHC 024797



CRM-M-57011-2025 (O&M).
Date of decision: 16.02.2026.

SUKHVINDER SINGH @SUKHWINDER SINGH AND OTHERS
...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER ...Respondent(s)

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

Present :- None for the petitioner(s).

Mr. Saurav Verma, Addl. A.G. Punjab.

None 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 No.10 dated
25.02.2025 under Section(s) 117(2), 115(2), 351(3) and 3(5) of the Bharatiya
Nyaya Sanhita, 2023, registered at Police Station Sadar Malout, District Sri
Muktsar Sahib, along with all subsequent proceedings arising therefrom on
the basis of compromise dated 19.09.2025 (Annexure P-2).

2. The aforesaid FIR was registered on the statement of Manju Rani, wife of Sunny Sharma. The translated version of the same is reproduced as under: -

“I am resident of the above address and engaged in labour work. My husband has passed away. On 16.01.2025 at about 5 PM, I was going back to my house from the Court Complex at Malout, so when I reached the door of my house, my mother-in-law Pushpa Rani wife of Lathi Sharma resident of village Malout, my maternal sister-in-law Rajni wife of Sukhwinder Singh and Sukhwinder Singh son of Joginder Singh resident of Datta Colony, Bathinda Road, Malout were already standing there. My mother-in-law, who was holding a baseball in her hands, raised lalkara that catch her and teach her a lesson for not giving her money. On saying this, my sister-in-law hit me with her baseball bat on my legs which hit my left leg and knee. Then my brother-in-law through Sukhwinder Singh hit me with another baseball bat on my left leg which hit my left knee joint. Then my sister-in-law Rajni hit me on my left shoulder with her baseball bat and then these three of them hit me in the back. I raised alarm then they threatened me and fled away from the spot with their weapons. The bone of contention is that when my husband Sunny Sharma was alive, we had purchased a PICKUP vehicle and my husband had taken Rs.50,000/-from my mother-in-law as assistance. I, a poor woman, cannot repay this, that is why they have hit me. Please take action against my mother-in-law Pushpa Rani, sister-in-law Rajni Sharma and brother-in-law Sukhwinder Singh.”

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

4 The parties were directed to appear before the learned trial

Court/Illaq Magistrate vide order dated 13.10.2025 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.

5 Reply already filed on behalf of the respondent-State is taken on record.

6 Pursuant to the said order, a report has also been received from the Judicial Magistrate First Class, Malout, District Sri Muktsar Sahib, vide Memo No.675 dated 26.11.2025. The relevant extract of the report is reproduced as under:-

“1. It is submitted that complainant namely Manju Sharma and accused namely Sukhwinder Singh @ Sukhwinder Singh, Rajni and Puspa in their respective statements have stated on oath that the matter has been mutually compromised between them and after perusing the statements of the parties, this Court is satisfied that the compromise is genuine, voluntary and out of free will of the parties.

2. In response to para no. (i), it is submitted that only three persons namely Sukhvinder Singh @ Sukhwinder Singh, Rajni and Puspa are arrayed as accused in the present case.

3. In response to para no. (ii), it is submitted that there is only complainant namely Manju Sharma in the present case.

4. In response to para no. (iii), it is submitted that, no accused person has been declared proclaimed offender.”

7 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.

8 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 noncompoundable.

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 The Hon'ble Supreme Court has held in the matter of '**Ramgopal And Another Vs State of Madhya Pradesh, 2021 SCC Online SC 834**', that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

10 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) It is established from the report submitted by the Judicial Magistrate First Class, Malout, District Sri Muktsar Sahib, that the parties have entered into a compromise voluntarily, which is genuine in nature and has been effected without any coercion, undue influence, or pressure.
- (ii) The perusal of the FIR reveals that the dispute is between the family regarding repayment of loan and is essentially private and personal in nature, with no continuing impact on public peace or societal order.
- (iii) The offence(s) alleged can neither be characterised as heinous or of such gravity as to shock the collective conscience of society, nor do they partake the nature of

offences that would shock the conscience of the Court.

- (iv) In the totality of the circumstances, the continuation of the FIR and all proceedings emanating therefrom would amount to an abuse of the process of law and the ends of justice would be better served by quashing the same in view of the compromise effected between the parties.
- (v) 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 of the Judicial Magistrate First Class, Malout, District Sri Muktsar Sahib 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 No.10 dated 25.02.2025 under Section(s) 117(2), 115(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar Malout, District Sri Muktsar Sahib, along with all subsequent proceedings arising therefrom are hereby quashed on the basis of compromise dated 19.09.2025 (Annexure P-2) entered between the parties.

12 Petition is allowed in above terms.

February 16, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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