



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

262

CRM-M-57859-2025
Date of decision: 19.05.2026

MANMEET @ MANMEET MASIH & OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

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

Present: - None for the petitioners.
Ms. Alisha Soni, AAG, Punjab.
None 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.143 dated
20.09.2025 under Sections 115(2), 118(1) & 3(5) of the BNS, 2023 registered
at Police Station Dhariwal, District Gurdaspur along with all subsequent
proceedings arising therefrom on the basis of compromise dated 26.09.2025
(Annexure P-2).

2. Briefly stated, the present FIR was registered on the statement of
Sunita wife of Babbu Masih, resident of village Alowal, Police Station
Dhariwal. In her statement, the complainant alleged that on 09.09.2025 at

approximately 2:00 P.M., she was standing outside her house when accused persons, namely, Manmeet Masih, Bagga Masih and Tarsem Masih, all residents of the same village, arrived at the spot. It was alleged that upon reaching there, accused Manmeet Masih raised a lalkara exhorting the co-accused to teach the complainant a lesson in connection with an earlier quarrel that had taken place between the parties. Pursuant thereto, accused Bagga Masih inflicted a blow with the reverse side of a dattar on the upper lip of the complainant, while accused Tarsem Masih caused an injury on her right leg with a dattar, as a consequence whereof she fell on the ground. The complainant further alleged that upon her raising alarm, her husband Babu Masih and her father-in-law Gurnam Masih, reached the place of occurrence, whereupon the accused persons fled from the spot carrying their respective weapons. It was further stated that thereafter the complainant was taken for medical treatment to CHC Naushera Majha Singh, where she remained admitted from 09.09.2025 till 17.09.2025. It was averred that the occurrence in question arose out of a prior dispute and quarrel that had taken place between the parties on 07.09.2025. On the basis of the aforesaid allegations, the present FIR came to be registered against the accused persons.

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 averred that the compromise amongst the parties was effected on account of free will and without any pressure and coercion. Hence, the present petition.

4. Pursuant to the orders passed by this Court dated 15.10.2025, a report has been received from the Judicial Magistrate, 1st Class, Gurdaspur

vide Memo No. 273 dated 02.01.2026. The relevant extract of the report reads thus:-

“As per the directions, parties appeared before the undersigned on 24.12.2025 and undersigned being Illaqa Magistrate has recorded their statements.

*Complainant **Sunita**, wife of Babbu @ Babbu Masih, resident of Vill. Alawal, P.O. Kot Santokh Rai, Tehsil and District Gurdaspur has stated that the present FIR was got registered by her against accused Manmeet @ **Manmeet Masih, Tarsem Masih and Bagga Masih @ Anial Masih**. However, now with the intervention of the respectable persons of the society, they have got compromise effected between them and entered into the compromise without any fear, pressure, coercion, undue influence, etc. Complainant Sunita also tendered copy of her identity card as Mark D for the purpose of ascertaining her identity.*

*Similarly, separate statements of accused **Manmeet @ Manmeet Masih**, son of Manir Masih @ Meeka Masih, **Bagga Masih @ Anial Masih**, son of Akhtar Masih @ Bhappi Masih and **Tarsem Masih**, son of Sadh Masih, all residents of Vill. Alawal, P.O. Kot Santokh Rai, Tehsil and District Gurdaspur. were also recorded and stated that FIR No.143 dated 20.09.2025 under Sec.115(2), 118(1), 3(5) of BNS (Sections 323, 324 and 34 of IPC), at Police Station Dhariwal, District Gurdaspur has been got registered against them at the statement of **complainant Sunita**, wife of Babbu @ Babbu Masih, resident of Vill. Alawal, P.O. Kot Santokh Rai, Tehsil and District Gurdaspur. Now, the matter has been compromised between them and the complainant/respondent Sunita, with the intervention of the respectables and without any fear, pressure, coercion, undue influence etc. They also tendered copies of their Adhar card as Mark A, B and C respectively for the purpose of ascertaining their identity.*

Further, the statement of IO/ASI Balbir Singh, no.700/Gsp, PS Dhariwal was also recorded who brought the record relating to FIR No.143 dated 20.09.2025 under Sec.115(2), 118(1), 3(5) of BNS (Sections 323, 324 and 34 of IPC), at Police Station Dhariwal, District Gurdaspur and as per the record, the present FIR was registered on the statement of the complainant Sunita against accused Manmeet @ Manmeet Masih, Tarsem Masih and Bagga Masih @ Anial Masih. As per the record, there is one complainant/victim namely Sunita in the present case. No other FIR is registered against the accused and they are not declared as Proclaimed Offenders in the present case or in any other case.

It is therefore submitted that in view of statements of the parties, the compromise effected between them appears to be genuine and they have suffered statements without any kind of coercion, undue influence or pressure of any manner....”

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. 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 **Gian Singh v. State of Punjab and Another**, reported as (2012) 10 SCC 303, wherein it was held as under:

61. The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with

the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or

continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.

(Emphasis supplied)

7. 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 1st Class, Gurdaspur 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 present FIR is the outcome of a personal dispute and previous quarrel on dated 07.09.2025 between the parties, who are residents of the same village.
- c. The parties are residents of the same village & continuation of proceedings is likely to spoil the peaceful atmosphere of the village.
- d. Petitioner No.1 is aged 30 years and petitioner No.2 is aged 40 years and continued incarceration in a criminal case will cause severe repercussions to them in the discharge of their social obligations.
- e. The FIR in question pertains to the year 2025 and therefore, the case is still at an initial stage. Putting an end to the

proceedings will bring peace and tranquility among the parties.

- f. The offences alleged cannot be categorized as heinous offences involving mental depravity or offences having such grave societal impact so as to shock the collective conscience of society or that of the Court.
- g. The allegations do not pertain to offences against the State, acts of terrorism, offences involving extreme violence, sexual offences or crimes having grave repercussions upon public order or institutional integrity.
- h. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

8. In view of the report submitted by the Judicial Magistrate 1st Class, Gurdaspur 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.143 dated 20.09.2025 under Sections 115(2), 118(1) & 3(5) of the BNS, 2023 registered at Police Station Dhariwal, District Gurdaspur, along with all subsequent proceedings arising therefrom, **are hereby quashed** in view of the compromise dated 26.09.2025 (Annexure P-2). However, the same would be subject to payment of total costs of **Rs.15,000/-** to be deposited by the petitioners with the ***Post Graduate Institute of Medical Education & Research” (PGIMER), Chandigarh*** within a period of two months of receipt of certified copy of this order.

Petition is allowed.

MAY 19, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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