



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

255

CRM-M-58410-2025 (O&M)

Date of decision: 30.04.2026

Jagir Singh and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Angrej Kumar, Advocate for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG Punjab.

Mr. Naresh Chander, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for seeking quashing of FIR No.91 dated 13.08.2025 registered under Sections 118(2), 118(1), 117(2), 115(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Bhindi Saidan, District Amritsar Rural (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 26.09.2025 (Annexure P-2).

2. The facts of the present case, in brief, are that the FIR was registered on the statement of the complainant, Manjit Singh, who stated that his elder brother had expired about five years ago and his father had passed away approximately 10-12 years earlier, while his mother, Channo Kaur, was alive and residing separately. On 11.08.2025, at about 08:00 PM, the complainant had gone on foot to the market at Bhindi Saidan to purchase

milk. While returning home, he was intercepted by Jagir Singh, Manga Singh, Gurbaksh Singh, Manjot Singh and Seta Singh, all residents of the same village and variously armed with sharp-edged weapons. It was alleged that upon being accosted, one of the assailants raised an exhortation to catch hold of him, whereupon he was overpowered and assaulted. The complainant stated that multiple blows were inflicted upon him by the assailants with their respective weapons, causing injuries on his head, arms, waist, abdomen, thighs and leg. Upon his raising an alarm, local shopkeepers and other persons gathered at the spot and his wife also reached there, following which the assailants fled. The complainant was initially taken to Civil Hospital, Lopoke and, in view of the seriousness of his condition, was referred to Guru Nanak Dev Hospital, Amritsar, but was ultimately admitted to Hartej Hospital, Amritsar, where he remained under treatment. The motive for the occurrence was stated to be prior enmity arising out of a dispute involving the complainant's maternal aunt, on account of which the accused persons collectively assaulted him.

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 17.10.2025 and subsequent order dated 13.01.2026 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. Pursuant to the said order, report has been received from the Judicial Magistrate 1st Class, Ajnala vide Memo No. 27 dated 13.02.2026.

The relevant extract of the report is reproduced as under:-

<i>S. No.</i>	<i>Information required</i>
<i>Question I</i>	<i>Total number of persons found involved as accused in the dispute/FIR;</i>
<i>Answer</i>	<i>As per the statement of IO, there are 05 persons i.e. Jagir Singh, s/o, Labh Singh, Manga Singh, s/o, Shera Singh @ Seta Singh, Gurbasa Singh @ Gurbaksh Singh, s/o, Buta Singh, Manjot Singh, s/o. Shera Singh @ Seta Singh and Shera Singh @ Seta Singh, s/o, Labh Singh involved as accused in the dispute/FIR.</i>
<i>Question II</i>	<i>Number of complainant/victim(s);</i>
<i>Answer</i>	<i>As per the statement of IO, there is only one complainant/victim namely Manjit Singh, s/o, Kapoor Singh, in the present FIR.</i>
<i>Question III</i>	<i>Whether all the accused and complainant / victims are party to compromise & signed the same;</i>
<i>Answer</i>	<i>Yes, all the accused and complainant/victims are party to the compromise and signed the same.</i>
<i>Question IV</i>	<i>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;</i>
<i>Answer</i>	<i>No, there is no any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before Hon'ble High Court.</i>

Question V	<i>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;</i>
Answer	<i>As per the statement of IO, neither any accused has been declared as a proclaimed offender/person nor any such proceedings against him/her have been initiated or pending adjudication.</i>
Question VI	<i>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;</i>
Answer	<i>From the statement(s) suffered by the complainant/victim, accused and IO, it appears that the compromise effected between the parties, is genuine, voluntary and without any coercion or undue influence.</i>
Question VII	<i>Any other aspect relevant to the present case.</i>
Answer	<i>No, there is no other aspect is relevant to the present case.</i>

6. Short reply filed by way of affidavit dated 12.01.2026 on behalf of respondent-State is already available on file and the same is taken on record. Registry is directed to do the needful.
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. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and his concurrence to the FIR and all the other

consequential proceedings being quashed and affirmed during statement before the trial Court.

9. The broad principles for exercising the powers under Section 482 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'. Further, in the case of **Yogendra Yadav & Others v. State of Jharkhand & Another** reported as (2014) 9 SCC 653 the Hon'ble Supreme Court 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.

10. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

11. 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

i) The genesis of the occurrence lies in a personal and private dispute between the parties arising out of inter se family discord, which has now been amicably resolved. The complainant no longer harbours any grievance against the petitioners and thus, continuation of the criminal proceedings would not subserve the ends of justice.

ii) Petitioner No. 1 is aged 52 years and prolonged criminal proceedings or incarceration would gravely prejudice his livelihood, disrupt the economic stability of his family and result in irreparable harm to his standing in society.

iii) Petitioner No. 3 is aged 19 years is barely out of adolescence and stands at the threshold of adulthood. Petitioners No. 2 & 4 are aged 26 and 21 years respectively and are young individuals at a formative stage of their lives, with their future prospects, employment opportunities, and social standing yet to be firmly established. Exposure to criminal prosecution at this stage would have a lasting and

stigmatic impact on their careers and rehabilitation and may irreversibly impair his chances of leading a constructive and law-abiding life, thereby defeating the broader objective of reformative justice.

iv) Petitioner No. 5 is aged 67 years and is entitled to a more humane and compassionate consideration. Subjecting such a person to continued criminal prosecution would cause undue hardship and may seriously impair his health and well-being.

v) The FIR in question pertains to the year 2025 and the proceedings are still at a nascent stage. Significantly, the parties have amicably resolved their disputes and entered into a compromise of their own free will, with the intervention of respectable members of the society and bringing the criminal proceedings to an end at this juncture would promote peace, harmony and tranquillity between the parties.

vi) The offence(s) alleged, though not trivial, 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.

vii) In view of the amicable settlement arrived at between the parties, the complainant is unlikely to support the prosecution case; consequently, continuation of the proceedings would serve no larger public interest and would merely result in an avoidable wastage of valuable judicial time.

viii) 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.

12. In view of the report of the Judicial Magistrate 1st Class, Ajnala and the principles laid down by the Apex Court on the subject, the instant petition is allowed. FIR No.91 dated 13.08.2025 registered under Sections 118(2), 118(1), 117(2), 115(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Bhindi Saidan, District Amritsar Rural (Annexure P-1) along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of compromise dated 26.09.2025 (Annexure P-2).

13. Petition is ***allowed***.

(VINOD S. BHARDWAJ)
JUDGE

30.04.2026

Mangal Singh

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