



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

298

CRM-M-59439-2025
Date of decision: 19.01.2026

RAJBALA ALIAS BALA DEVI AND OTHERSPetitioners

VERSUS

STATE OF HARYANA AND OTHERSRespondents

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

Present: - Mr. Kanik Swaroop, Advocate
for the petitioners.

Mr. Omkar Singh Wahla, Sr. DAG, Haryana.

Mr. Ritik Mohindro, Advocate for
Mr. Shubham Kaushik, Advocate
for the respondents No.2 to 7.
(Through Video Conferencing).

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.423 dated 06.08.2019 under Sections 147, 149, 323, 452, 506 of the Indian Penal Code, 1860 at Police Station Hisar Sadar, District Hisar along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 06.10.2025 (Annexure P-2).

2. Briefly summarized, the facts of the present case are that respondent No.2-complainant Dilbag Singh is a farmer by occupation and earns his livelihood through agriculture. On 05.07.2019, (1) Balbir Singh son of Dhan Singh, (2) Hitendra son of Balbir Singh, (3) Prateek son of

Raghubir Singh, (4) Parveen (Sonu) son of Dalbir, and (5) Amit son of Dalbir, came to his fields and started quarrelling with him. The complainant was saved by his neighbours, who had been repairing the water source in the adjoining field. Thereafter, again on 04.08.2019, (1) Balbir Singh, (2) Himanshu, (3) Hitendra, (4) Prateek, (5) Amit, (6) Bala wife of Balbir Singh, (7) Bhateri wife of Dalbir Singh, and (8) Hardei Devi wife of Dhan Singh, all gathered together and came to the complainant's field with the intention of killing him. When the complainant came to know of this, he ran away from there to save his life. At 8:39 PM the same night, Parveen (alias Sonu) called his son Dinesh on his phone and threatened to kill him. At 9:01 PM, Himanshu called and repeated the threat to kill both him and his son, and warned him that they would face consequences by 8:00 AM the next morning. Subsequently, all of them came to the village at around 7:00 AM. The complainant immediately called his cousin (son of Uncle) Satbir Singh, along with his wife Krishna. He narrated the entire incident to both of them. Then his sister-in-law, Krishna wife of Satbir Singh, went to Dalbir Singh's house to explain the matter to them. Bhateri wife of Dalbir Singh and Kavita wife of Amit, agreed not to quarrel further. However, the petitioners entered the complainant's house with malicious intentions (all carrying iron rods and sticks of spades except Kavita) and suddenly attacked him and his family. In this sudden assault, the complainant, his son Dinesh, his wife Krishna Devi, his younger brother's widow Darshana wife of Virender, his cousin (son of Uncle) Satbir Singh son of Dhan Singh, were beaten with iron rods and sticks. They also tried to strangle the complainant and his son Dinesh as well. The complainant suffered injuries on head, hands, legs, and waist due

to the iron rod blows. The present FIR thus came to be registered against the petitioners.

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. Hence, the present petition.

4. Pursuant to the order passed by this Court on 27.10.2025, a cost of Rs. 5,000/- has been deposited by each of the petitioners and a report has also been received from the Civil Judge (Jr. Divn.)-cum-JMIC, Hisar vide Memo No. 1171 dated 23.12.2025. The relevant extract of the report reads thus:-

“Accused persons namely Rajbala @ Bala Devi wife of Balbir Singh, Bhateri Devi W/o Dalbir Singh, Hitender Poonia @ Hitendra son of Balbir Singh Poonia, Partik Punia @ Parteek son of Raghubir Singh Punia and Himanshu Punia @ Himanshu son of Balbir Singh Poonia vide their separate statement stated that they have amicably settled the dispute with the complainant's namely Dilbag Singh son of Girdhala, Darshana Devi wife of Virender Singh, Krishna wife of Dilbag Singh, Dinesh Poonia son of Dilbag Singh, Satvir Singh Punia son of Dhan Singh, Krishna Punia wife of Satvir Singh Punia and same are without any threat pressure, coercion or any influence etc. Statement of complainant's namely Dilbag Singh son of Girdhala, Darshana Devi wife of Virender Singh, Krishna wife of Dilbag Singh, Dinesh Poonia son of Dilbag Singh, Satvir Singh Punia son of Dhan Singh, Krishna Punia wife of Satvir Singh

Punia was also recorded, wherein they stated that they have amicably settled the dispute with accused namely Rajbala @Bala Devi wife of Balbir Singh, Bhateri Devi W/o Dalbir Singh, Hitender Poonia @ Hitendra son of Balbir Singh Poonia, Partik Punia @ Parteek son of Raghubir Singh Punia and Himanshu Punia @Himanshu son of Balbir Singh Poonia. It emerges that compromise is genuine voluntary and without any coercion or any influence etc. They also stated that in view of the above said settlement, present FIR may kindly be quashed.

Accused persons as well as the complainant's were duly identified by their respective counsel and compromise seems genuine and without any fear or pressure.

On 16.12.2025, IO/SI Rajesh Kumar no. 135/ Hisar posted at Police Chowki Urban Estate, Hisar who is IO in the present case appeared before the court and recorded his statement to the effect that as per the FIR No. 423/06.08.2019, PS Sadar Hisar under sections 147, 149, 323, 452 and 506 of IPC, initially there were six accused persons namely Rajbala @ Bala Devi wife of Balbir Singh resident of House no. 275, Subhash Nagar, Hisar, Bhateri wife of Dalbir Singh resident of VPO Ladwa District Hisar, Amit Poonia @ Amit son of Dalbir Singh resident of VPO Ladwa District Hisar, Hitender Poonia @ Hitendra son of Balbir Singh Poonia resident of House no. 275, Ward no. 15, Subhash Nagar, VPO Hisar, Partik Punia @ Parteek son of Raghubir Singh Punia, resident of House no. 1660, Sector 16-17, Hisar and Himanshu Punia @ Himanshu son of Balbir Singh Poonia resident of House no. 275, Subhash Nagar, Hisar and one complainant namely Dilbag Singh son of Girdhala resident of Ladwa District Hisar and five victim's namely Darshana Devi wife of Virender Singh

resident of house no. 705, near Loharwala Chowk Ladwa District Hisar, Krishna wife of Dilbag Singh resident of Village Ladwa District Hisar, Dinesh Poonia son of Dilbag Singh resident of Village Ladwa District Hisar, Satvir Singh Punia son of Dhan Singh resident of House no. 275, Subhash Nagar, Town Park, Hisar and Krishna Punia wife of Satvir Singh Punia son of Dhan Singh resident of House no. 275, Subhash Nagar, Town Park, Hisar in the present case. Challan report u/s 173 Cr.P.C. to above said accused persons was filed under sections 147, 149, 323, 452 and 506 of IPC. It is further submitted that as per the records the accused person has not been declared as proclaimed offender. It is further submitted that as per records no FIR is pending against the abovesaid accused persons.”

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. Mr. Ritik Mohindro, Advocate for Mr. Shubham Kaushik, Advocate, appears on behalf of respondents No. 2 to 7 (***through Video conferencing***), reiterates the settlement and his concurrence to the quashing of the FIR alongwith all the other consequential proceedings.

7. 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.

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.

8. The Hon'ble Supreme Court has held in '**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.

9. 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 Civil Judge (Jr. Divn.)-cum-JMIC, Hisar, that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. Petitioners No. 1 and 2 are in their 60s and petitioners No. 3 to 6 are in the age bracket of 35-40 years. Continuation of criminal proceedings will severely impact their health and career respectively and affect the discharge of their social obligations.
- c. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court;

- d. 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.

10. In view of the report submitted by the Civil Judge (Jr. Divn.)-cum-JMIC, Hisar 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. 423 dated 06.08.2019 under Sections 147, 149, 323, 452, 506 of the Indian Penal Code, 1860 at Police Station Hisar Sadar, District Hisar along with all subsequent proceedings arising therefrom, **are hereby quashed** in view of the compromise deed dated 06.10.2025 (Annexure P-2)

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 19, 2026
Vishal Sharma

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