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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:007599



CRM-M-59416-2025 (O&M)

Date of decision: 19.01.2026.

SUKHVIR SINGH @ SUKHA AND ANOTHER

...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 bearing No.117 dated
30.10.2018 under Section(s) 323, 324, 341, 506 and 34 of the Indian Penal
Code, 1860, registered at Police Station Lambra, District Jalandhar Rural
along with all subsequent proceedings arising therefrom on the basis of
compromise dated 30.09.2025 (Annexure P-5).

2 Briefly summarized, aforesaid FIR was registered on the statement of Joga Singh, son of Gurnam Singh, which is reproduced as under: -

“I am a resident of the above address and do agricultural work. My residence is kept outside in the fields. Paramjit Singh, Sarabjit Singh's son Harbhajan Singh cast Jatt resident of Nijra has purchased 4 kanals of land. On 20-10-18, we were digging the purchased land when Sukhvir @Sukha son Nirmaljit Singh with MusallaDatar and Harjit Singh alias Booti S/O Bawa Singh cast Jatt resident of Nitra came and said that this land is ours. I will tell you the fun of digging the land. I was scared of this and started running home, then Harjit Singh shouted and said that Sukha should catch him and not let him escape. They surrounded me and started beating me and Sukhvir Singh hit me with dataar with his hands and same is hit me on my right arm and I fell down on floor. Sukhvir singh further hit attacked me with the dataar when I was lying on floor and same hit me on my left side of back. I cried out for help, so my mother Baldish Kaur and brother Jaspreet Singh also came on the spot. They ran away by abusing me and threatened to kill me. At that time, Bajinder Singh S/O Gurbaksh Singh and Santokh Singh S/O Pakhar Singh, a Jat community resident of Nijhra, also came on spot. Then my mother Baldish Kaur and Jaspreet Singh arranged vehicle for me to be taken to the Civil Hospital in Jalandhar. Till now, the talk of our compromise has been going on but it has not come finalized. I have been treated very badly. I am a claimant and legal action should be taken against the culprits.”

3 Vide judgment and order dated 11.12.2024, the petitioners were convicted and sentenced for offences under Sections 323, 324, 341 and 506

IPC read with Section 34 IPC by the Judicial Magistrate 1st Class, Jalandhar. Aggrieved thereof, CRA-2644-2024 was filed before the Sessions Court, Jalandhar and vide order dated 18.12.2024, the sentence of petitioner No.1-Sukhvir Singh @ Sukha was suspended during the pendency of the appeal. However, with the intervention of the respectables from both sides, 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 27.10.2025 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 Pursuant to the said order, a report has been received from the Judicial Magistrate First Class, Jalandhar, vide Memo No.17 dated 13.01.2026. The relevant extract of the report is reproduced as under:-

“i. As per statement of IO SI Kewal Singh in the present FIR there are two accused persons namely Sukhvir Singh @ Sukha and Harjit Singh @ Booti.

ii. As per statement of IO SI Kewal Singh, there is only one complainant/victim i.e. Joga Singh in the present case.

iii. It is reported that all the accused namely Sukhvir Singh @Sukha and Harjit Singh @ Booti and complainant/victim namely Joga Singh are party to compromise Ex.A1.

iv. Sukhvir Singh @ Sukha and Harjit Singh @ Butta i.e. accused persons and complainant Joga Singh are party to compromise and there is no other complainant in present case.

v. As per statement of IO SI Kewal Singh in the present FIR no

accused persons have been declared as proclaimed offender in the present case. There are no PO proceedings/proclamation proceedings pending against any accused in the present case.

vi. It is reported that as per the statement of complainant Joga Singh and accused persons namely Sukhvir Singh @ Sukha and Harjit Singh @ Booti, the compromise has been effected in FIR No.117 dated 30.10.2018, Under Sections 323, 324, 341, 506, 34 IPC, at PS Lambra, Jalandhar. From the statements of the parties it seems that the parties have entered into compromise is genuine, voluntary and out of free consent and without any pressure, coercion, undue influence and inducement from any quarter. The said compromise seems to be genuine, voluntary and without any coercion or undue influence.

vii. It is reported that there is not any other aspect relevant to the present case.”

6 Status report on behalf of respondent-State has been filed in the Court today.

7 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.”

8 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.

9 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 incident took place on account of a dispute between the parties regarding the creation of a passage through the land purchased by the complainant.

(ii) The petitioners are aged 26 and 51 respectively and continuation of criminal proceedings would hamper their career prospects and health respectively.

(iii) The offence in question cannot be said to be heinous or as an offence that would be shocking to the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;

10 In view of the report of the Judicial Magistrate First Class, Jalandhar and the principles laid down by the Apex Court in '***Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur and others versus State of Gujarat and another***' (2017) 9 SCC 641', the instant petition is allowed. FIR bearing No.117 dated 30.10.2018 under Section(s) 323, 324, 341, 506 and 34 of the Indian Penal Code, 1860, registered at Police Station Lambra, District Jalandhar Rural along with all subsequent proceedings arising therefrom, including the judgment and order of sentence dated 11.12.2024

passed by the Judicial Magistrate 1st Class, Jalandhar, are hereby quashed on the basis of compromise dated 30.09.2025 (Annexure P-5) entered between the parties.

11 Petition is allowed in above terms.

January 19, 2026.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: <i>Yes/No</i>
<i>Whether reportable</i>	: <i>Yes/No</i>