

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026:PHHC:007820



CRM-M-59764-2025 (O&M)
Date of decision: 20.01.2026.

RAJINDER SINGH @ JINDER

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

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

Present :- Mr. Parveen Kumar, Advocate,
for the petitioner.

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

Ms. Neeru, Advocate,
for respondents No.2 to 6.

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. 213
dated 25.07.2020 registered under Section(s) 148, 149, 323, 324 and 506 of
the Indian Penal Code, 1860 read with Sections (3)(2)(v) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police
Station Butana, District Karnal, along with all subsequent proceedings

arising therefrom on the basis of compromise deed dated 04.11.2024 (Annexure P-2).

2 Briefly summarized, the aforesaid FIR was registered on the statement of Dharmbir son of Kura Ram. The translated version of the same is reproduced as under: -

“Statement Dharmbir son of Kura Ram, resident of Village Arjaheri, District Karnal. Stated that I am the resident of abovesaid address and I am a labourer. On 24.07.2020, my elder brother namely Krishan had gone to the fields of Mama Ram, for irrigating the fields, which he has taken on lease. After finishing the work, when my brother namely Krishan was washing his hands on the tubewell. Then, Deepu son of Bira, Shekhi son of Tana, Jinder son of Pala Ram, Pala, Vishal sons of Raj Kumar were consuming liquor near the drain. When Krishan was washing his hands, then, Jinder son of Pala Ram and Pala Ram started to give abuses to Krishan. On this, Krishan asked them not to abuse him and also told to them that he is son of Kura Ram. In the meanwhile, Pala Ram tried to give axe blow upon Krishan. Thereafter, all the assailants stated to give beatings to Krishan. On this, Krishan fled away from the spot in order to save himself and made a telephonic call to his brother Sonu and then Sonu took Krishan in his house. On the next morning at about 9.00 AM, Subhash Sarpanch of the village came to their house and asked me that he will get the matter settled. Subhash Sarpanch further told to us that he will call the accused persons at about 9.30 AM in his baithak and then he will call us. When Subhash Sarpanch had left the house of their house, then Pala Ram and his son Joginder Singh came at their house armed with spade and lathi and started to give beating to them. In the meanwhile, Deepu son of Bira, Shekhi son of Sultan, Vishal son of Raj Kumar,

Sumit son of Joginder and mother of Sarpanch came there armed with bindas and danda and started to give beatings to them. Then, about 15-20 unknown persons also came on the spot on the motor cycles and started giving beatings to them. That Deepu, Shekhi and Vishal gave gandasi and dandas blows to him. They caused injuries on his head, back, arms and other parts of the body. The assailants have also caused injuries to Sanjeev Kumar son of Ram Kumar, Prem Kumar son of Kali Ram, Lakhan son of Shera Ram, Kura Ram son of Hari Sharan, Satbir son of Dharam Pal. Thereafter, all the assailants fled away from the spot after extending threatening to kill them by saying that JAISE HAMNE SHANTY KO MARA THAN VESE HI TUMKO BHI MARENGE. So, it is requested that legal action may kindly be taken against the accused persons....”

3 However, with the intervention of the respectables from both sides, the parties have decided to compromise the matter. Hence, the present petition. The parties were directed to appear before the learned trial Court/Illaq Magistrate vide order dated 28.10.2025 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.

4 Pursuant to the said order, a report has been received from the Additional District and Sessions Judge, Karnal, vide Memo No. 483 dated 28.11.2025. The relevant extract of the report is reproduced as under:-

“...the statements of parties to the petition i.e. Complainant Dharambir son of Sh. Kura Ram, aged about 32 years, Victim Sanjeev son of Sh. Ram Kumar, aged about 36 years, Victim Prem Chand son of Sh. Kali Ram, aged about 48 years, Victim Satbir son of Sh. Dharampal, aged about 42 years, Victim Kura Ram son of Sh. Hari Sharan, aged about 60 years and Victim

Krishan son of Sh. Kura Ram, aged about 37 years and accused namely Rajinder son of Sh. Pala Ram, aged about 38 years, resident of Village Arjaheri, Tehsil and District Karnal have been recorded.

From the statement of the parties recorded in the court and on the basis of queries made by the undersigned, it appears to the undersigned that compromise is genuine and without any coercion or undue influence, and the matter has voluntarily been compromised between the above mentioned parties.

As per the report submitted by the Investigating Officer, accused Rajinder facing trial has not been declared as proclaimed offender either in this case or in any other case.

The present trial/case is pending for prosecution evidence.

In this case one complainant namely Dharambir and five victims namely Sanjeev, Prem Chand, Satbir, Kura Ram and Krishan.”

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 Learned counsel for respondents No. 2 to 6 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed. Costs stand paid.

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 ***Ramgopal and another v. State of M.P.***, reported as ***(2022) 14 SCC 531***. The relevant paragraphs are extracted as under: -

“19. We thus sum up and hold that as opposed to Section 320 CrPC where the Court is squarely guided by the compromise between the parties in respect of offences “compoundable” within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482 CrPC or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section 320 CrPC. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind:

19.1. Nature and effect of the offence on the conscience of the society;

19.2. Seriousness of the injury, if any;

19.3 Voluntary nature of compromise between the accused and the victim; and

19.4 Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.

8 The Hon'ble Supreme Court has held in the matter of **Ramgopal** (**supra**), 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 petitioner and private respondents are residents of the same village. Putting a quietus to the criminal proceedings

would bring much-needed peace and harmony.

(ii) There is no other case against the petitioner.

(iii) The case is still at the initial stage as the FIR was registered in the year 2020, yet the prosecution evidence has not commenced.

(iv) 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 Additional District and Sessions Judge, Karnal and the principles laid down by the Apex Court in *Ramgopal and another v. State of M.P. (2022) 14 SCC 531*, the instant petition is allowed. FIR bearing No. 213 dated 25.07.2020 registered under Section(s) 148, 149, 323, 324 and 506 of the Indian Penal Code, 1860 read with Sections (3)(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Butana, District Karnal, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise deed dated 04.11.2024 (Annexure P-2) entered between the parties.

11 Petition is allowed in above terms.

January 20, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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