

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

280

2026.PHHC:011252



CRM-M-60104-2025 (O&M).
Date of decision: 27.01.2026.

SURYA ALIAS PRAGYA DUGGAL AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present :- Mr. Sukhwinder Singh, Advocate,
for the petitioners.

Mr. Rituraj Singh, DAG, Punjab.

Mr. Ajay Kumar, Advocate,
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.102 dated
23.06.2023 under Section(s) 452, 440, 323, 148 and 149 of the Indian Penal
Code, 1860, registered at Police Station City Batala, Police District Batala,
Punjab, along with all subsequent proceedings arising therefrom on the basis
of compromise dated 16.10.2025 (Annexure P-2).

2 Briefly summarised, aforesaid FIR was registered on the complaint of Vinod Kumar son of Hira Lal. The translated version of the same is reproduced as under: -

“Subject: Application against (1) Surya alias Pragya Duggal wife of Vikas Duggal (2) Vipul Talwar son of Vinod Talwar (3) Namrata alias Roji wife of Vipul Talwar (4) Deepak Chatrath son of unknown (5) Preeti Chatrath wife of Deepak Chatrath (6) Suraj Chatrath unknown (7) Kunal Chatrath Chatrath all residents of son of son of Dinesh Bhushanpura, Sultanwind Gate, Amritsar for committing the crime of illegally entering the house of the complainant and beating him and his family members and threatening to kill him. Sir, the complainant makes the following request: 1. That I am Vinod Kumar son of Shri Hira Lal resident of House No. 119, Green Avenue, Batala am a District Gurdaspur and businessman. 2. That my son Vikas Duggal was to married the accused No. 1 Surya alias Pragya Duggal wife Vikas Duggal resident of Bhushanpura, Sultanwind Gate, Amritsar in the year 2014 as per Hindu rituals and from a few days after the marriage, the accused Pragya started harassing us and due to the interference of her paternal family, she did not live properly in our family. 3. That from the said marriage, grandson of mine named Divyansh was born and even after his birth, there was no change in the behavior of my daughter-in-law and her paternal family. 4. That being fed up with this, we had earlier also given an application to the Hon'ble SHO in Police Station City Batala, which was marked to ASI-Savinder Singh for investigation that the application was given on 13-12-2022 but no concrete action taken was on the application but since then till now my daughter-in-law is living with her paternal family and we and they have stopped meeting and commuting with each other. 5. That I have disowned my son and daughter-in-law from my movable and immovable property

and personal life on 25-11-2022 and after which my son and daughter-in-law along with their child live separately from our family. 6. That earlier also the accused had threatened to kill me and my family due to the said enmity. 7. That on 23-03-2023 at around 7.30 AM, my wife and I few days after the marriage, the accused Pragya started harassing us and due to the interference of her paternal family, she did not live properly in our family. 3. That from the said marriage, grandson of mine named Divyansh was born and even after his birth, there was no change in the behavior of my daughter-in-law and her paternal family. 4. That being fed up with this, we had earlier also given an application to the Hon'ble SHO in Police Station City Batala, which was marked to ASI-Savinder Singh for investigation that the application was given on 13-12-2022 but no concrete action taken was on the application but since then till now my daughter-in-law is living with her paternal family and we and they have stopped meeting and commuting with each other. 5. That I have disowned my son and daughter-in-law from my movable and immovable property and personal life on 25-11-2022 and after which my son and daughter-in-law along with their child live separately from our family. 6. That earlier also the accused had threatened to kill me and my family due to the said enmity. 7. That on 23-03-2023 at around 7.30 AM, my wife and I along with my son Vishal were present then accused (1) Surya alias Pragya Duggal wife of of Vinod Vikas Duggal (2) Vipul Talwar son Talwar (3) Namrata alias Roji wife of Vipul Talwar (4) Deepak Chatrath son of unknown (5) Preeti Chatrath wife of Deepak Chatrath (6) Suraj Chatrath son of unknown (7) Kunal Chatrath son of Dinesh Chatrath all residents of Bhushanpura, Sultanwind Gate, Amritsar along with 2/3 unknown persons entered my house without my consent with the intention to kill me and my family and Pragya raised lalkara that today will teach them a lesson for disowning us from their property and after entering the house, the above accused abused us a lot and after that the

accused dragged me out of the house and started beating me and my family near the main gate and during that Vipul Talwar and accused Deepak Chatrath caught me by the arms and accused Kunal and accused Suraj punched me which hit my chest. Accused Pragya took "Thappi" (washing bat) lying nearby and hit me which hit my left arm and accused Vipul and accused Namrata also hit me with "Thappi" which hit my back and at that time my son Vishal and daughter-in-law Surbi started shouting killed-killed and hearing our cries the people of the locality gathered and came to our house to rescue us from the above accused and saved our lives from the above accused. The above accused destroyed our house a lot which caused us a lot of loss. The entire incident was recorded on CCTV. The footage is available with me which I can present to you if required. I went to Civil Hospital Batala the next day with my nephew Sanjeev Kumar son of Vijay Kumar resident of Mahilawala, Tehsil Ajnala, District Amritsar and got my medical examination done. The copy of MLR is attached. 8. It is important to mention here that the accused had earlier also apologized verbally and admitted the fault of their daughter while sitting in our house. I have its CCTV footage which I can present to you. The said accused have come to my house and damaged the goods in my house and have committed serious crimes by beating us. Please register a case under the relevant sections against the said accused and take legal action and give me justice. It will be very kind of you"

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 29.10.2025 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, report has been received from the Sub Divisional Judicial Magistrate, Batala, vide Memo No.1449 dated 08.12.2025.

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

“I. As per record and statements, there are there are seven (7) accused namely Surya alias Pragya Duggal aged about 33 years wife of Vikas Duggal, Vipul Talwar aged about 38 years son of Vinod Talwar, Namrata alias Rosi aged about 36 years wife of Vipul Talwar, Deepak Chatrath aged about 57 years son of Baldev Raj, Preeti Chatrath alias Jyoti Chatrath aged about 55 years wife of Deepak Chatrath, Suraj Chatrath aged about 52 years son of Baldev Raj Chatrath and Kunal Chatrath aged about 26 years son of Dinesh Chatrath, All residents of Bhushanpura, Sultanwind Gate, Tehsil and District Amritsar and they all have got recorded their statements; i.e. Vinod Kumar son of Heera Lal, R/o H.No.119, Green Avenue, Batala, District Gurdaspur, who has got recorded his statement in support of the compromise;

III. As per the record and statements, all the accused and complainant/victim are party to compromise and signed the same;

IV. As per the record and statements, no any other affected person is involved.

V. As per record and statements, none of the accused is declared proclaimed offender/person;

VI. In view of the statements got recorded by both the parties, the compromise is seemed to be genuine, voluntary and without any coercion or undue influence.

VII. As per record and statements, no any other aspect is relevant to the present case.”

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

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 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.”

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 dispute giving rise to the FIR is purely familial and private in nature, emanating from matrimonial discord and inter se differences within the family and does not involve any offence having a serious impact on society at large.

(ii) The parties have amicably resolved their disputes, and the compromise has been effected voluntarily, without any coercion, pressure or undue influence, thereby restoring peace and harmony within the family.

(iii) The allegations pertain to an isolated incident arising out of

domestic discord and do not disclose any element of heinousness or brutality so as to shock the collective conscience of society.

(iv)Petitioner Nos. 1, 2, and 3 are in their thirties and continuation of criminal proceedings would cause disproportionate prejudice to their personal, professional and social standing.

(v)Petitioner Nos. 4, 5 and 6 are in their fifties and prolonged criminal litigation at this stage would serve no reformatory or deterrent purpose.

(vi)Petitioner No. 7 is in his twenties and subjecting him to continued criminal prosecution would have a serious and irreversible adverse impact on his future prospects.

(vii)There is nothing on record to suggest that the petitioners are habitual offenders or that their conduct poses any continuing threat to public order or societal interest.

(viii)In view of the compromise, the likelihood of conviction is remote, as the complainant is no longer inclined to support the prosecution version, rendering continuation of the proceedings a futile exercise.

(ix)The continuation of criminal proceedings, despite settlement, would amount to an abuse of the process of law and would result in unnecessary harassment of the parties and wastage of valuable judicial time.

10 In view of the report of the Sub Divisional Judicial Magistrate, Batala and the principles laid down by the Apex Court in '*Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641', the instant petition is allowed. FIR bearing No.102 dated 23.06.2023 under Section(s) 452, 440, 323, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station City Batala, Police District Batala, Punjab, along with all subsequent proceedings arising therefrom is hereby quashed on the basis of compromise dated 16.10.2025 (Annexure P-2) entered between the parties.

11 Petition is allowed in above terms.

January 27, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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