

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

264

2026:PHHC:071655



CRM-M-61383-2025 (O&M)
Date of decision: 07.05.2026.

GURDEV SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present :- Mr. Prince Sharma, Advocate,
for the petitioner(s).

Ms. Aiman J. Chishti, AAG, 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.124 dated
21.09.2025 under Section(s) 333, 324(4), 351(3), 191(3) and 190 of the
Bharatiya Nyaya Sanhita, 2023, registered at Police Station Valtaha, Tehsil
Patti, District Tarn Taran, along with all subsequent proceedings arising
therefrom on the basis of compromise dated 08.10.2025 (Annexure P-2).

2 Aforesaid FIR was registered on the statement of Sonu son of Satnam Singh. The translated version of the same is extracted as under: -

“that I am resident of above said address and labourer. We are 4 siblings, elder sister namely Paramjit Kaur married with Sukhwinder Singh resident of village Jhander and I am younger than her, Bholi is my younger sister who is married with Harjit Singh resident of village Maluwal, Lovepreet Singh youngest. I got married with Seema daughter of Jarnail Singh resident of village Algon Khurd as per Sikh rites since about 7 years, I have two children namely Jaskaran Singh who is elder and daughter namely Mankirat Kaur who is younger. On dated 20.09.2025 time about 08/08:30 P.M., I was on roof of my house, bulb was turned on and I saw that Gurdev Singh son of Bakhshish Singh armed with datar, Daler Singh son of Bakhshish Singh armed with datar, Kulbir Singh son of Bakhshish Singh armed with datar, Bohar Singh son of Gurmej Singh armed with datar, Gursahib Singh alias Saba son of Sukhchain Singh armed with sword, Chanan Singh son of Surjit Singh armed with datar, Sarwan Singh alias Samma son of Amrik Singh armed with datar and 30 unidentified persons all residents of village Assal Uttar, they were standing in the street and abusing loudly, they saw me and gave defiant call that do not leave to Lovepreet Singh and teach him lesson for quarrelling with us. Gurdev Singh broke main gate of our house with the help of his companion and entered in the house and broken house material i.e. fridge, almirah, drum for wheat, doors of bathroom, two fans and standing fan, Gurdev Singh threatened to kill me. The cause of dispute is that 2/3 days before, my brother Lovepreet Singh had little dispute with Gurdev Singh son of Bakhshish Singh resident of village Assal Uttar etc. due to this grudge, Gurdev Singh entered in my house along with his brothers & friends and broken my house

material. The respectable persons tried to make compromise between the parties, but it did not work. So, take legal action against Gurdev Singh son of Bakhshish Singh, Daler Singh son of Bakhshish Singh, Kulbir Singh son of Bakhshish Singh, Bohar Singh son of Gurmej Singh, Gursahib Singh alias Sabha son of Sukhchain Singh, Chanan Singh son of Surjit Singh, Sarwan Singh alias Samma son of Amrik Singh and other 30 unidentified persons all residents of village Assal Uttar and provide me justice.”

3 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 orders dated 03.11.2025 and 21.01.2026 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, a report has been received from the Judicial Magistrate First Class, Patti, vide Memo No.170 dated 22.04.2026. The relevant extract of the report is reproduced as under: -

“In view of the aforesaid, my point wise report is as follows:-

i) As per the statement of petitioner, respondent and Investigating officer there are total of 7 accused in the present FIR who are petitioners.

ii) As per the statement of petitioner, respondent and Investigating officer there is total of one complainant/victim namely Sonu Singh in the present FIR.

iii) As per the statement of petitioner, respondent and Investigating officer all the accused and complainant/victims are party to compromise and signed the same.

iv) No affected party has been left out or not arrayed as party in quashing petition.

v) As per the statement of petitioner and Investigating officer none of the accused has been declared as a proclaimed offender/ person and no such proceedings against them have been initiated and no such adjudication is pending against them.

vi) As per the statement suffered by petitioner and respondents which are on record the compromise' appears to be genuine, voluntary and without any coercion or undue influence.

vii) The petitioners have submitted the original receipt dated 07.02.2026 regarding depositing of cost of Rs 17,500/- which is Mark I.”

6. The broad guidelines 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 **Narinder Singh vs. State of Punjab, 2014 (2) RCR(Criminal) 482**, wherein it was held as under:

“29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go

by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.

29.7. *While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not.*

Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.”

7. Learned State Counsel doesn't dispute the factum of the compromise amongst the parties and doesn't have any serious objection to the resolution of dispute amongst the parties.

8. 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 which had taken place 2–3 days earlier between Lovepreet Singh and Gurdev Singh. Thus, the genesis of the occurrence is purely personal and private in nature and does not involve any element of public interest,

(ii) The allegations reflect a localized dispute between residents of the same area arising out of previous altercation and not a premeditated criminal activity.

(iii) The incident in question is isolated in nature and confined to the parties alone, without any broader impact on public order, peace or societal interest.

(iv) Petitioners no. 1 to 6 are in their 20s and Petitioner no. 7 is 41 years old and continuation of criminal proceedings is likely to have a serious and disproportionate impact on their career and future prospects and in the discharge of their social and professional obligations.

(v) Subsequent developments indicate that the parties have resolved their differences and the complainant no longer harbours any grievance against the petitioners, thereby removing the very foundation of the prosecution.

(vi) 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.

(vii) Quashing of FIR, in the facts and circumstances of the case, would advance the ends of justice and prevent abuse of the process of law.

9. In view of the report of the Judicial Magistrate First Class, Patti and the principles laid down by the Apex Court in the aforesaid judgments, the instant petition is allowed. FIR bearing No.124 dated 21.09.2025 under Section(s) 333, 324(4), 351(3), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Valtaha, Tehsil Patti, District Tarn Taran, along with all subsequent proceedings arising therefrom, are hereby quashed on the basis of compromise dated 08.10.2025 (Annexure P-2) entered between the parties.

10 Petition is allowed in above terms.

May 07, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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