



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-61387-2025(O&M)

Date of decision: 22.04.2026

Tarsem Singh and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Arjunveer Sharma, Advocate for the petitioners.

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

Mr. Ankit Gupta, Advocate for respondents No.2& 3.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing of FIR bearing No.107dated 10.10.2025 registered under Sections 110, 115(2), 117(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Meharban, District Police Commissionerate, Ludhiana, District Ludhiana along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.10.2025 (Annexure P-2).

2. The aforesaid FIR was registered on the statement of Sandeep Singh son of Raj Singh resident of Street No.1 Mohalla Anand Vihar Colony Kainja, District Ludhiana, relevant part of which is extracted as under:-

“Stated that I am a resident of the above address. I work as an overlock in a private hosiery factory. I, along with my brother-in-law Rahul Verma, have kept seel (breed) roosters, which are very expensive because they are of a very good breed. My brother-in-law and I have kept our roosters' pen at Dhillon Farm, Kanija Road. On 25-09-2025 we were leaving our

roosters outside the pen to pick open food. Then a stray dog, which was brown in colour, grabbed one of our roosters and ran away, which killed our rooster and again on 30-09-2025, the same stray dog grabbed another rooster of ours and ran away. On 01-10-2025, at around 9.30 pm, I and my brother-in-law were coming from work on our motorcycle. The stray dog that had killed our chicken was sitting on the corner of the street, near the main road. My brother-in-law Rahul Verma, who was sitting behind my motorcycle, told me that this was the same stray dog that had killed our chicken. I stopped the motorcycle there. My brother-in-law Rahul Verma picked up a small brick lying on the road and hit the dog. It did not hit him. He ran towards Dev Vihar Colony in the main street. My brother-in-law Rahul Verma hit another small brick at the stray dog. But both times the brick did not hit the dog. The second time, the brick hit the door of Tarsem Singh, a resident of Dev Vihar Colony. After hearing the noise, Tarsem Singh came out of his house and called us and asked the reason for hitting with bricks, whereupon I and my brother-in-law told the whole story to Tarsem Singh the owner of the trolley. We were still telling Tarsem Singh our story and two young boys of Tarsem Singh the owner of the trolley, one of whom was a turban boy named Gurinder Singh and his younger brother named Amandeep Singh, started abusing us as soon as they came out of the house. My brother-in-law Rahul Verma and I stopped them from doing so, but both of Tarsem Singh's boys got angry and took iron rods from inside the house and started beating us. Tarsem Singh the owner of the trolley challenged and encouraged his boys and said, "Let them taste the pleasure of throwing bricks in their deori Then both of Tarsem Singh's boys started beating us. My brother-in-law came forward to save me from them. Tarsem Singh's son Amandeep Singh hit my brother-in-law's head with his iron rod. As soon as the rod hit my brother-in-law's head, my brother-in-law fell unconscious on the ground. As my

brother-in-law Rahul Verma fell on the ground, Tarsem Singh's son Gurinder Singh hit my brother-in-law Rahul Verma with his rod, which hit the back of my brother-in-law's neck. Tarsem Singh brought a stick from his house and hit my brother-in-law, which hit my brother-in-law's right hand. The arm was hit near the wrist and Tarsem Singh's son Gurinder Singh kicked my brother-in-law's neck with his foot, which hit my brother-in-law's neck above his chest. I shouted for help, and I managed to save my life from them and reached my house where and told the whole conversation to my family members. My mother Balwinder Kaur, my sister Suman and my younger brother Harshdeep Singh also came to the spot, and we all managed to free ourselves from them with great difficulty. After this, we took a private auto rickshaw and took my brother-in-law Rahul Verma to the Civil Hospital Ludhiana for treatment, where the doctor checked my brother-in-law and gave the MLR.”

3. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition. The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 03.11.2025 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, cost has been deposited and receipt thereof is taken on record. A report has also been received from the Judicial Magistrate First Class, Ludhiana, vide Memo No.145 dated 20.12.2025. The relevant extract of the report is reproduced as under:-

“(5) The report as per order dated 03.11.2025 passed by the Hon'ble High Court is submitted as under:-

(i) As per statement of ASI Radhe Shyam No.2124/Ldh, there are only three persons namely Tarsem Singh S/o Kapoor Singh,

Gurinder Singh S/o Tarsem Singh and Amandeep Singh S/o Tarsem Singh have been arrayed as accused in the present FIR and they appeared before the court and recorded their joint statement regarding compromise effected with the complainant in this case.

(ii) Further, as per statement of parties, there are two complainants in this case namely Sandeep Singh and Rahul Verma.

(iii) As per the statement of both the parties, all the accused and complainant/victims are party to compromise and signed the same.

(iv) As per statements of parties, no accused or complainant is left out or not arrayed as party in the quashing petition before the Hon'ble High Court.

(v) Further, as per the statement of ASI Radhe Shyam No.2124/Ldh, the accused persons namely Tarsem Singh, Gurinder Singh and Amandeep Singh have not been declared as proclaimed offender in this case as well as in any other.

(vi) In view of the statements so made by the parties, this Court is of the considered opinion that both parties have entered into compromise voluntarily, out of their free will, without any pressure. It is further submitted that the compromise is genuine one and without any coercion or undue influence.”

5. Status report dated 16.12.2025 by way of an affidavit of Sumit Sood, PPS, Assistant Commissioner of Police, East, Ludhiana has already been filed on behalf of the respondent-State. The same is taken on record. 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 & 3 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. The Hon'ble Supreme Court in the case of ***Yogendra Yadav & Others v. State of Jharkhand & Another*** reported as ***(2014) 9 SCC 653*** has held that although non-compoundable offences under Section 320 Cr.P.C. cannot be formally compounded, the High Court can still quash such criminal proceedings in appropriate cases by exercising its inherent powers under Section 482 Cr.P.C., if the parties have genuinely and voluntarily settled their dispute. The Court has held that this power must be exercised on a case-to-case basis. Serious and heinous offences affecting society at large, such as rape or murder, cannot be quashed on the basis of compromise. However, where the dispute is purely personal, does not affect public peace, the victim has no objection, and continuation of proceedings would serve no useful purpose, the High Court may quash the case to secure the ends of justice and avoid unnecessary waste of judicial time. The relevant extract thereof reads as thus :

“4. Now, the question before this Court is whether this Court can compound the offences under Sections 326 and 307 of the IPC which are non-compoundable. Needless to say that offences which are non-compoundable cannot be compounded by the court. Courts draw the power of compounding offences from Section 320 of the Code. The said provision has to be strictly followed (Gian Singh v. State of Punjab, 2012(4) RCR (Criminal) 543 : 2012(4) Recent Apex Judgments (R.A.J.) 549 :

(2012)10 SCC 303). However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable. In which cases the High Court can exercise its discretion to quash the proceedings will depend on facts and circumstances of each case. Offences which involve moral turpitude, grave offences like rape, murder etc. cannot be effaced by quashing the proceedings because that will have harmful effect on the society. Such offences cannot be said to be restricted to two individuals or two groups. If such offences are quashed, it may send wrong signal to the society. However, when the High Court is convinced that the offences are entirely personal in nature and, therefore, do not affect public peace or tranquillity and where it feels that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice, it should not hesitate to quash them. In such cases, the prosecution becomes a lame prosecution. Pursuing such a lame prosecution would be waste of time and energy. That will also unsettle the compromise and obstruct restoration of peace.”

8. In the matter of **BS Joshi v State of Haryana, 2003 (2) RCR (Criminal) 888**, Hon’ble Supreme Court observed that for the purpose of securing the ends of justice, quashing of FIR on the basis of compromise in non compoundable offence is permissible.

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:-

(i)The dispute arises out of an incident where the complainant was trying to hit the stray dog with a brick, who killed his

roosters and the same instead hit the door of the petitioner-Tarsem Singh, whereupon the petitioners asked the reason for throwing bricks and thereafter gave beatings to the complainants. The same is an isolated and personal incident, confined to the parties alone and does not disclose any element of public interest or societal impact warranting continuation of criminal proceedings.

(ii) Petitioner No.1 is a man aged 51 years and continuation of criminal proceedings would hamper his prospects and affect the discharge of his family and social obligations.

(iii) Petitioners No.2 and 3 are young individuals aged about 24 and 19 years respectively and continued prosecution is likely to cause disproportionate prejudice on their future prospects, livelihood and chances of social rehabilitation.

(iv) Significantly, the parties have amicably resolved their disputes and entered into a compromise of their own free will, with the intervention of respectable members of the society.

(v) In view of the compromise so arrived at, the likelihood of the complainant supporting the prosecution case is remote and the probability of securing a conviction is also bleak.

(vi) The continuation of criminal proceedings would serve no larger public purpose and would only result in unnecessary harassment of the parties and futile expenditure of valuable judicial time.

(vii) The offences alleged cannot be characterized as heinous or of such gravity as to shock the conscience of society at large or of this Court.

(viii) In the totality of the circumstances, the continuation of the FIR and all proceedings emanating therefrom would amount to an abuse of the process of law and the ends of justice would be better served by quashing the same in view of the compromise effected between the parties.”

10. In view of the report of the Judicial Magistrate First Class, Ludhiana and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The FIR bearing No.107 dated 10.10.2025 registered under Sections 110, 115(2), 117(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Meharban, District Police Commissionerate, Ludhiana, District Ludhiana along with all subsequent proceedings arising therefrom is hereby quashed in view of the compromise dated 14.10.2025 (Annexure P-2).

11. Petition is **allowed** in the above terms.

22.04.2026

SumitGusain

(VINOD S. BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No