



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

294

CRM-M-61748-2025
Date of decision: 28.01.2026

PARDEEP KUMAR AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - Mr. Nitish Jhanjria, Advocate for
Mr. B.S. Makar, Advocate
for the petitioners.

Mr. Rituraj Singh, DAG, Punjab.

Mr. Paramvir Singh Doon, Advocate
for respondents No.2 and 3.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.0075 dated 18.06.2022 under Section(s) 406 & 420 of the Indian Penal Code, 1860 registered at Police Station Khuian Sarwar, District Fazilka along with all subsequent proceedings arising therefrom on the basis of compromise deed as well as affidavit dated 07.10.2025 (Annexures P-3 and P-4).

2. The FIR in the present case had been registered on the statement of Satinderpal Singh son of Shri Gurdas Singh, resident of village

Danewala Sattkosi. The translated version of the same reads as under:

“I had purchased a car bearing registration number DL-4CAJ-2726, model 2008, make Verna, having chassis number 49249 and engine number 537384, from Gurmeet Singh son of Gurjant Singh, resident of village Ramgarh, Tehsil Karanpur, on 10.02.2019. On 24.11.2021, I was admitted to Rajotia Hospital, Sri Ganganagar, for my medical treatment. At that time, Pardeep Kumar, son of Devi Lal Jiyan, resident of village Katehra, who was known to me, came to my house and took Rs.75,000 (Seventy-Five Thousand Rupees) from my mother Surjit Kaur for my treatment, along with my above-said car, on the pretext that he would bring it to me. When I came to know of this, I contacted Pardeep Kumar, who told me that he would return both the money and the car, but since then he has been making excuses and delaying and to this day he has neither returned my Rs. 75,000 nor the car. During my own inquiry, I came to know that Pardeep Kumar, by misusing the documents of my said car, has sold it further to Bhupinder Singh son of Gurdeep Singh, owner of Gagan Car Bazaar, Abohar, and to Raju Sachdeva and Pappi, both residents of Abohar, who in turn sold it to Ramesh Kumar, son of Mani Ram, resident of Azeemgarh, owner of a Car scrap shop on Hanuman Garh Road. I had gone to Ramesh Kumar’s scrap shop to purchase some scrap material, where I saw my said car parked. I told Ramesh Kumar (scrap dealer) that the car was mine and asked him from whom he had purchased it. He stated that he had bought the car from Bhupinder Singh, owner of Gagan Car Bazaar, Abohar, Raju Sachdeva and Pappi, owner of Guru Nanak Car Bazaar, Abohar. Thus, Pardeep Kumar, in connivance with above said persons, has breached trust and dishonestly sold my car to others, thereby committing fraud and criminal breach of trust. Therefore, legal action be taken against Pardeep Kumar, Bhupinder Singh, Raju Sachdeva and

Pappi.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion.

4. Pursuant to the order dated 04.11.2025, a report has been received from the Judicial Magistrate 1st Class, Abohar vide Memo No. 1065 dated 24.12.2025. The relevant extract of the report reads thus:-

“(1) As per above statement of parties, statement of investigating officer and as per office report total four persons i.e petitioner no.1 Pardeep Kumar, petitioner no.2 Bhupinder Singh, petitioner no.3 Inder Mohan and petitioner no.4 Raj Kumar found involved as accused in the dispute/FIR and there is no other accused, except them.

(II) As per above statement of parties, statement of investigating officer and as per office report the present FIR was registered on the statement of Satinderpal Singh, who was father of respondent no.2 Armanjot Singh and husband of respondent no.3 Ranjit Kaur @ Ranjeet Kaur, who has died on 25.05.2023 and now there are two victim(s) respondent no.2 Armanjot Singh and respondent no.3 Ranjit Kaur @ Ranjeet Kaur.

(III) As per above statement of parties all the accused and victims are party to compromise and signed the same.

(IV) As per above statement of parties, statement of investigating officer and as per office report no other affected person (accused or complainant) is left out or not arrayed as parties in the quashing petition before Hon'ble High Court and statement of all the petitioners and respondent No. 2 and respondent No. 3 have been recorded.

(V) As per above statement of parties, statement of investigating officer and as per office report no accused has been declared as a proclaimed offender/person nor any such proceedings against him/her have been initiated or pending adjudication.

(VI) As per above statement of parties, it appears that the parties have voluntarily entered into compromise and the compromise between them is genuine and without any coercion or undue influence.

(VII) It is humbly submitted that apart from the report stated above from point No. I to VI there is no any other relevant aspect in the present case.

5. Status report by way of affidavit of Sukhwinder Singh Brar, PPS, Deputy Supdt. of Police, Sub-Division Abohar, District Fazilka already stands filed on behalf of the respondent-State and the same is taken on record.

6. 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.

7. Mr. Paramvir Singh, Advocate appears on behalf of respondents No. 2 and 3 and reiterate the settlement and their concurrence to the quashing of the FIR alongwith all the other consequential proceedings.

8. The broad principles 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 'Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another' (2017) 9 SCC 641' wherein it was held as under:

16. The broad principles which emerge from the precedents on the subject, may be summarised in the following propositions:

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 non-compoundable.

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 Hon'ble Supreme Court has held in '**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.

10. 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:-

- a. It is established from the report of Judicial Magistrate First Class, Abohar that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. The FIR in question has been registered on the statement of Satinderpal Singh, who has died on 25.05.2023.
- c. Petitioner No.1 is aged about 45 years, petitioner no.2 is aged about 42 years, petitioner no.3 is aged about 53 years and petitioner no.4 is aged 48 years and continuation of criminal proceedings is likely to have a serious impact on their career and in the discharge of their social obligations.
- d. The likelihood of the complainant supporting the case of prosecution in the face of the compromise is remote and

continuation of the criminal proceedings would thus be an exercise in futility with no reasonable prospect of conviction.

- e. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court;
- f. Quashing of the FIR in the present facts would advance the ends of justice, restore familial harmony, and prevent abuse of the process of law.

11. In view of the report submitted by the Judicial Magistrate First Class, Abohar and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No.0075 dated 18.06.2022 under Section(s) 406 & 420 of the Indian Penal Code, 1860 registered at Police Station Khuian Sarwar, District Fazilka and all other consequential proceedings arising therefrom **are hereby quashed** in view of the compromise deed as well as affidavit dated 07.10.2025 (Annexures P-3 and P-4).

Petition is allowed.

JANUARY 28, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No