



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

284

CRM-M-61730-2025 (O&M)

Date of decision: 27.01.2026

Manpreet Singh and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Sukhwinder S. Dhillon, Advocate for the petitioner(s).

Mr. Rituraj Singh, DAG Punjab.

Mr. Ajay Kumar, Advocate for respondents No. 2 to 5.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition filed by the petitioner(s) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for seeking quashing of FIR bearing No.114 dated 02.07.2025, under Section(s) 117(2), 333, 191(3), 115(2) and 3(4) of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023'), registered at Police Station Sadar, District Sri Muktsar Sahib, along with all the subsequent proceedings arising therefrom on the basis of compromise dated 16.10.2025 (Annexure P-2).

2. The FIR in the present case was registered on the statement of Jaskaran Singh, who stated that he is employed as a workshop worker in village Rupana. He stated that on the evening of 18.06.2025, at about 9:15 p.m., he along with Ranjit Singh son of Hamir Singh, Yadwinder Singh son of late Balkaran Singh, Ravinder Singh son of late Balkaran Singh, Rajdeep



Singh son of Jaskaran Singh and Ravinder Singh (aged about 16 years) son of Balkaran Singh, were standing outside a house in village Rupana, eating bread and drinking water while conversing. At that time, Manpreet Singh son of Randhir Singh, armed with a wooden dasta; Onkar Singh son of Hanadhir Singh, armed with an iron sword and Simran alias Sanju son of Pamma Singh, armed with a sword, all residents of village Rupana, came to the spot and started abusing them. When the complainant party objected to the abuses, the accused persons launched a sudden attack with their respective weapons. It was stated that Simran alias Sanju inflicted a sword blow on the left arm of Ranjit Singh, Manpreet Singh struck the complainant Jaskaran Singh on the head with a weapon and Onkar Singh caused an injury to Yadwinder Singh on the head. Upon raising alarm, additional persons including Bikramjit Singh son of Mona Mistry, Sanjan son of an unknown person and Dharam Singh, all armed with wooden dastas, joined the assault. Dharam Singh is stated to have struck Ravinder Singh son of Balkaran Singh on the head, causing him to fall and run into the house of Parminder Singh for shelter. The complainant further stated that the accused persons continued to beat them with their weapons and thereafter hurled bricks lying nearby, damaging the shutter of their shop and the iron bar of the house. It was further stated that the accused forcibly entered the house, abused and assaulted them and fled from the spot with their weapons upon gathering of neighbours. The injured persons were thereafter taken by their family members to Civil Hospital, Sri Muktsar Sahib, where they received medical treatment. The complainant attributed the motive for the occurrence to prior



animosity, stating that the accused had earlier assaulted the minor Ravinder Singh, which was initially ignored as a quarrel between children. On the basis of these allegations, the complainant sought registration of a criminal case and appropriate legal action against the accused persons.

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 04.11.2025 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.

5. Pursuant to the said order, report has been received from the Judicial Magistrate 1st Class, Sri Muktsar Sahib vide Memo No. 07 dated 03.01.2026. The relevant extract of the report is reproduced as under:-

“1. As per the statement of the investigating officer, complainant and the accused persons, eight persons namely Manpreet Singh son of Randhir Singh, Onkar Singh son of Randhir Singh, Simran Singh @Sanju son of Lakhveer Singh, Dharampreet Singh son of Surjit Singh, Nanak Singh @ Vicky Singh son of Jang Singh, Bikramjeet Singh son of Malkeet Singh, Kulwant Singh @ Dharam Singh son of Manmeet Singh and Sanjan Kumar @ Sanjan Yadav son of Tilak Yadav have been arraigned in the present FIR as accused and there is no other accused.



2 *As per the statement of the Investigating Officer and complainant, the FIR was registered on the statement of complainant Jaskaran Singh. There are total 4 victims in the present dispute/ FIR namely Jaskaran Singh son of Hameer Singh, Ranjeet Singh son of Hameer Singh, Yadwinder Singh son of Balkaran Singh and Ravinder Singh son of Balkaran Singh in the present dispute/ FIR.*

3. *As per the statement of the complainant and accused, all the accused and complainant/ victims are party to the compromise and the same has been signed by all of them.*

4. *As per the details furnished by the complainant and the accused persons, none of the accused or complainant is left out or not arrayed as a party in the quashing petition before the Hon'ble High Court of Punjab and Haryana.*

5. *As per the statement of the investigating officer and the accused, none of the accused have been declared as a proclaimed offender person nor are any such proceedings initiated against him/her or pending adjudication.*

6. *From the statements of the parties, this Court is satisfied that the compromise entered into between the parties is genuine, voluntary and out of the free will of the parties, without any coercion or undue influence.*



7. *As per the statement of the investigating officer and the accused themselves, the petitioners/ accused are not involved in other cases.”*

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. Learned counsel appearing on behalf of respondents No. 2 to 5 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed and affirmed during statement before the trial Court.

8. The broad principles for exercising the powers under Section 482 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 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. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

10. 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) The dispute in the present case arises out of a sudden altercation between young villagers, stemming from prior personal animosity and does not disclose any element of pre-meditated or organised criminal conduct affecting society at large.
- ii) The parties belong to the same village and the incident



appears to be the result of a momentary flare-up of tempers, rather than a calculated or heinous crime.

- iii) The petitioners are young individuals, with Petitioner Nos. 1, 2, 4, 7 and 8 being in their early twenties, Petitioner Nos. 3 and 5 in their late twenties and Petitioner No. 6 in his early thirties. Prolonged criminal prosecution at this formative stage of their lives would seriously prejudice their future prospects, careers and social rehabilitation.
- iv) There is nothing on record to suggest that the petitioners are habitual offenders or that they have any prior criminal antecedents, indicating that the incident is an isolated occurrence.
- v) The dispute has been amicably resolved between the parties and the compromise has been effected voluntarily, without any pressure or coercion, with a view to restoring peace and harmony in the village.
- vi) In view of the compromise, the likelihood of conviction is remote, as the complainant and the injured persons are no longer inclined to support the prosecution case, rendering the continuation of proceedings a futile exercise.
- vii) The offences alleged, though arising out of a scuffle, do not shock the conscience of society and are not of such a nature that their quashing would have any adverse impact on public interest or societal order.



viii) Continuation of the criminal proceedings, despite the settlement, would result in unnecessary harassment of young persons, waste valuable judicial time and would amount to an abuse of the process of law.

11. In view of the report of the Judicial Magistrate 1st Class, Sri Muktsar Sahib 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.114 dated 02.07.2025, under Section(s) 117(2), 333, 191(3), 115(2) and 3(4) of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023'), registered at Police Station Sadar, District Sri Muktsar Sahib, along with all the subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise dated 16.10.2025 (Annexure P-2).

12. Petition is *allowed*.

(VINOD S. BHARDWAJ)
JUDGE

27.01.2026

Mangal Singh

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