



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

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CRM-M-63811-2025(O&M)

Date of decision: 22.04.2026

Raju Ram @ Raju and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Swarn Tiwana, Advocate for the petitioners.

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

Mr. Naresh K. Khepar, Advocate for respondents No.2 to 6.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing of FIR No.54 dated 04.07.2022 registered under Sections 283,323,341,506,148,149 of the Indian Penal Code, 1860 at Police Station Mulepur, District Fatehgarh Sahib alongwith all other consequential proceedings arising therefrom, on the basis of compromise dated 02.04.2025 (Annexure P-2).

2. The aforesaid FIR was registered on the statement of Beero Kaur wife of Pappu Ram, resident of Bazigar Basti Colony, Police Station Mulepur, District Fatehgarh Sahib, relevant part of which is extracted as under:-

“I would like to state that I am resident of above noted address and I am house wife. I have one son namely Manpreet Singh and one daughter namely Seema Rani, both are married. Today at morning time, my son Manpreet Singh was in the process to go to his work on his Tempo then at around 7.00 AM, Surjit Singh son of Boota Ram and Malkit Singh son of Surjit Singh

residents of Bazigar Basti Colony Rurki has parked his Innova Car and Innova Pick-up in the street in front of our house. My son Manpreet Singh told them to remove their cars from said place but they started abusing him and said that you may do whatever you want to do, we will park our vehicle here. Thereafter they both Surjit Singh @ Mahi and Malkit Singh have brought Gandasi and Axe from their houses and started threatening that you get your vehicle back, we will park our vehicle here, otherwise we will dismantle your vehicle. They made phone call and called Vicky son of Kashmir Singh armed with Gandasi, Kashmira Ram @ Kalu son of Battu Ram armed with baseball, Rinku son of Mohna Ram armed with Danda, Gajju son of Mohna Ram armed with Danda, Mohna Ram son of Boota Ram armed with baseball and Ajay son of Balkara Ram Kaka son of Balkara Ram, Ravi son of Sadhu Ram, Sikandari Devi wife of Surjit Ram there and they all started abusing us that catch them, don't let them go dry, then Surjit Singh @ Mahi has given blow of his Axe to me, then I rushed to my house, Malkit Singh and Kashmira Ram @ Kalu have beaten my son with Dandas who also rushed to his house, then we raised noise Marta Marta. On hearing our noise, Surit Singh son of Vadhava Ram, Gurpreet Singh son of Surjit Singh, Karnail Singh son of Jinder Ram came to save us, Surjit Ram @ Mahi has given blow of his Axe to Surjit Singh which hit on his left side arm, then all started raising hue and cry in loudly voice, then they all entered into our house, Rinku son of Sohna Ram has given blow of Gandasi on the head of Karnail Singh, due to which he stained with blood, Sikandari Devi and Kaka have taken the one month old child namely Arman from the hands of my Daughter-in-law Amna and thrown him on the ground who started weeping loudly. Gurpreet Singh @ Raju has given blow of Danda on the right arm, Ravi has given blow of Danda on the back, then we were raising noise "Marta Marta", in the meantime our neighbour Inder Singh

Numberdar son of Vadhawa Ram came and they make them understood and sent them back to their house and they took their vehicles from there. Earlier also they were threatening to kill us. We saved ourselves from them by hiding in the rooms of our house. The motive behind the incident is that one month ago, Malkit Ram had threatened to my son that I will not allow you to take your vehicle on the way and will close the way of your vehicle. Due to said reason they quarreled with us and have beaten us.”

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 02.02.2026 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.

4. Pursuant to the said order, report has been received from the Judicial Magistrate First Class, Fatehgarh Sahib, vide Memo No.66 dated 27.02.2026. The relevant extract of the report is reproduced as under:-

“The joint statement of complainants Beero Kaur @ Bir Kaur, Karnail Singh, Surjeet Singh, Gurpreet Singh, Manpreet Singh is as under:-

"Stated that we had got registered FIR No.54 dated 04.07.2022 under Sections 283, 323, 341, 506, 148 and 149 IPC in Police Station Mulepur, District Fatehgarh Sahib against the accused i.e. (i) Raju Ram alias Raju son of Sohan Ram alias Mohna Ram, (ii) Surjit Ram alias Surjeet Singh alias Mahi son of Boota Ram, (iii) Malkeet Ram son of Surjit Ram, (iv) Sohan Ram alias Mohna Ram son of Boota Ram alias Butta Ram, (v) Rinku Ram alias

Raju son of Sohan Ram alias Mohna Ram, (vi) Kaka son of Balkar Ram, (vii) Ravi Kumar alias Ravi son of Sadhu Ram, (viii), Ajay Kumar alias Ajay son of Balkar Ram alias Balkara Ram, (ix) Manpreet Singh alias Vicky son of Kashmira Ram alias Kashmir Singh. (x) Kashmira Ram alias Kallu son of Bantu Ram, (xi) Sikander Kaur alias Sikandri Devi daughter of Surjit Ram alias Surjeet Singh, all residents of Bazigar Basti Colony, Village Rurki, Police Station Mulepur, District Fatehgarh Sahib. In the said FIR, we have compromised the matter amicably with the said accused persons namely (1) Raju Ram alias Raju son of Sohan Ram alias Mohna Ram. (ii) Surjit Ram alias Surjeet Singh alias Mahi son of Boota Ram, (iii) Malkeet Ram son of Surjit Ram, (iv) Sohan Ram alias Mohna Ram son of Boota Ram alias Butta Ram. (v) Rinku Ram alias Raju son of Sohan Ram alias Mohna Ram, (vi) Kaka son of Balkar Ram, (vii) Ravi Kumar alias Ravi son of Sadhu Ram, (viii), Ajay Kumar alias Ajay son of Balkar Ram alias Balkara Ram, (ix) Manpreet Singh alias Vicky son of Kashmira Ram alias Kashmir Singh. (x) Kashmira Ram alias Kallu son of Bantu Ram, (xi) Sikander Kaur alias Sikandri Devi daughter of Surjit Ram alias Surjeet Singh, of Bazigar Basti Colony, Village Rurki, Police Station Mulepur, District Fatehgarh Sahib, without any threat, pressure, or coercion with the intervention of respectable persons. We have no objection if FIR No.54 dated 04.07.2022 under Sections 283, 323, 341, 506, 148 and 149 IPC in Police Station Mulepur, District Fatehgarh Sahib against the said accused (1) Raju Ram alias Raju son of Sohan Ram alias Mohna Ram, (ii) Surjit Ram alias Surjeet Singh alias Mahi son of Boota Ram, (iii) Malkeet Ram son of Surjit Ram, (iv) Sohan Ram alias Mohna Ram son of Boota Ram alias Butta Ram, (v) Rinku Ram alias Raju

son of Sohan Ram alias Mohna Ram, (vi) Kaka son of Balkar Ram. (vii) Ravi Kumar alias Ravi son of Sadhu Ram, (viii). Ajay Kumar alias Ajay son of Balkar Ram alias Balkara Ram, (ix) Manpreet Singh alias Vicky son of Kashmira Ram alias Kashmir Singh, (x) Kashmira Ram alias Kallu son of Bantu Ram, (xi) Sikander Kaur alias Sikandri Devi daughter of Surjit Ram alias Surjeet Singh, all residents of Bazigar Basti Colony. Village Rurki, Police Station Mulepur, District Fatehgarh Sahib is quashed and they be acquitted in the said FIR. The copy of our Aadhar cards are Mark-1 to Mark 5."

The joint statement of accused persons namely (i) Raju Ram alias Raju (ii) Surjit Ram alias Surjeet Singh alias Mahi (iii) Malkeet Ram (iv) Sohan Ram alias Mohna Ram (v) Rinku Ram alias Raju (vi) Kaka (vii) Ravi Kumar alias Ravi (viii) Ajay Kumar alias Ajay (ix) Manpreet Singh alias Vicky (x) Kashmira Ram alias Kallu (xi) Sikander Kaur alias Sikandri Devi is as under:-

"Stated that we have heard the statement made by the complainants Beero Kaur @ Bir Kaur, Karnail Singh, Surjeet Singh, Gurpreet Singh, Manpreet Singh today in the Court, which is correct. The said complainants had lodged FIR No.54 dated 04.07.2022 under Sections 283, 323, 341, 506, 148 and 149 IPC in Police Station Mulepur, District Fatehgarh Sahib against us. The matter has been compromised amicably in the said FIR with the said complainants without any threat, pressure, or coercion with the intervention of respectable persons. The said FIR may kindly be quashed and we may be acquitted in the said FIR.

The copy of our Aadhar cards are Mark-6 to Mark-16."

It is further submitted by Retired Inspector Jagroop Singh, that he being the IO of the present case is retired. Therefore, he has no record/details of the present case

with him. Thereafter, the undersigned had given verbal instructions to Naib Court of this Court, to call the record/report from the SHO concerned. Report of SHO received which was perused by the IO of the present case. Thereafter, Retired Inspector Jagroop Singh submitted that he had conducted investigation in FIR No.54 dated 04.07.2022 under Sections 283, 323, 341, 506, 148 and 149 IPC in Police Station Mulepur, District Fatehgarh Sahib. As per his statement there is no other accused nominated in the present case and no accused has been declared as a proclaimed offender in the present FIR during my investigation.

He further stated that there is one FIR registered against accused Surjit Singh ie. FIR no.74 dated 30.09.2012 under Section 379, 411 IPC PS Bhadson. There is one FIR registered against accused Kashmira Ram alias Kallu ie. FIR no.137 dated 28.06.2014 under Section 11 PA Act 3/181 MV Act PS Mulana (Ambala). There is one FIR registered against accused Kaka i.e. FIR no.74 dated 19.10.2023 under Section 353, 186, 132, 160, 510, 34 IPC Mulepur.

There is no other criminal case pending against the accused persons namely Raju Ram alias Raju, Malkeet Ram, Sohan Ram alias Mohna Ram, Rinku Rani alias Raju. Ravi Kumar alias Ravi, Ajay Kumar, Manpreet Singh alias Vicky and Sikander Kaur during my posting in PS Mulepur.

It is further submitted that from the above said statements of the parties so recorded by me, the compromise arrived at between the parties apparently appears to be a genuine compromise and is the voluntary act of the parties without there being any sort of pressure, threat or coercion from any corner.”

5. Short reply dated 08.04.2026 by way of an affidavit of Kulbir Singh Sandhu, PPS, Deputy Superintendent of Police, Sub-Division, Fatehgarh Sahib, Punjab 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 to 6 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. 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.

8. 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 arose out of a personal altercation arising from a parking dispute, which appears to have been immediate trigger for the incident and doesn't disclose any premeditated or continuing criminal design.
- (ii) 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.
- (iii) Petitioners No. 2, 3, 4, 5, 10, 11 are middle aged persons and continuation of criminal proceedings would hamper their prospects and affect the discharge of their family and social obligations.
- (iv) Petitioners No. 1, 6, 7, 8 and 9 are young individuals and continued prosecution is likely to cause disproportionate prejudice to their future prospects, livelihood and chances of social rehabilitation.
- (v) 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.
- (vi) 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.
- (vii) 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.

10. In view of the report of the Judicial Magistrate First Class, Fatehgarh Sahib 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 No.54 dated 04.07.2022 registered under Sections 283, 323, 341, 506, 148, 149 of the Indian Penal Code, 1860 at Police Station Mulepur, District Fatehgarh Sahib alongwith all other consequential proceedings arising therefrom is hereby quashed on the basis of compromise dated 02.04.2025 (Annexure P-2) subject to depositing of costs of Rs.25,000/- (in total) to be paid by the petitioners with the “Red Cross. Old Age Home” A/c No.50100286016319, IFSC-HDFC0004030, HDFC Bank, Sector-15, Panchkula”.

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

12. Since the main petition itself stands allowed, CRM-50316-2025 has been rendered infructuous. The same is accordingly disposed of as having been rendered infructuous.

22.04.2026

Sumit Gusain

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No