



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62267-2025

Decided on: January 22, 2026

Shubham Rathi and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aman Redhu, Advocate, for the petitioners.

Mr. Aditya Pal Singla, AAG, Haryana,
for respondent No. 1.

Mr. Shubham Mor, Advocate, for respondent Nos. 2 to 4.

SANJAY VASHISTH, J.

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 29.10.2025 (Annexure P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station	District
273	16.10.2025	191(3), 190, 115 and 110 of BNS, 2023	HSIDC Barhi	Sonipat

2. Vide order dated 07.11.2025, passed by this Court, the affected parties were directed to appear before the learned Trial Court/Illaq Magistrate, for getting their respective statements recorded with regard to the compromise. The Trial Court/Illaq Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.



3. Pursuant to the aforementioned order, the parties appeared before the Court of learned Judicial Magistrate Ist Class, Ganaur, and as per report dated 24.11.2025, submitted to this Court, respective parties have got recorded their statements in Court. From the report received from the learned Court below, it is discernible as under:-

“1. It is humbly submitted that in pursuance of the directions issued by Hon'ble High Court vide order dated 07.11.2025, the parties to the case i.e., complainant, namely, Rakesh and victims, namely, Rajesh Kumar & Jagbir and accused persons namely, Shubham Rathi, Dalbir Singh, Shri Om, Sunita, Pooja, Poonam and Varsha, have appeared before the Court on 24.11.2025 and got recorded their statements qua their compromise in the present matter and all of them have suffered their respective separately recorded statements that they have compromised the present case. As per the specific version of the complainant, namely, Rakesh and victims, namely, Rajesh Kumar & Jagbir, they have no objection in quashing the FIR No. 273/2025 registered at PS HSIIDC Barhi, Sonipat. Complainant, namely, Rakesh and victims, namely Rajesh Kumar & Jagbir and accused persons namely, Shubham Rathi, Dalbir Singh, Shri Om, Sunita, Pooja, Poonam and Varsha, have been duly identified by their respective counsels.

2. As per the statement of the Investigating Officer, namely, L/ASI Neeraj belt No.1712/SPT, there are only seven (7) persons who have been arrayed as accused in the FIR No.273/2025, namely:

(i) Shubham Rathi S/o Ramphal R/o Village Choti Garhi Rajlu. District Sonipat, Haryana.

(ii) Dalbir Singh S/o Sh. Ramchander Rathi Rio Village Rajlu Garhi, District Sonipat, Haryana.

(iii) Shri Om S/o Sh. Chandgi Ram Rio Village Choti Garhi, Rajlu, District Sonipat, Haryana.

(iv) Sunita W/o Shri Om R/o Village Choti Garhi, Rajlu, District Sonipat, Haryana.

(v) Pooja W/o Shubham Rathi R/o Village Choti Garhi, Rajlu, District Sonipat, Haryana.

(vi) Poonam W/o Ramphal R/o Village Choti Garhi, Rajlu, District Sonipat, Haryana.



(vii) Varsha D/o Sh. Ramphal R/o Village Choti Garhi, Rajlu, District Sonipat, Haryana.

3. The petition bearing No. CRM-M-62267-2025 titled as Shubham Rathi and Ors. Vs. State of Haryana and Ors. has been filed by all the accused.

4. As per the statement of the IO/L/ASI Neeraj, in the present case there is only one complainant, namely, Rakesh and two victims, namely, Rajesh Kumar & Jagbir. In the instant case, investigation is yet to be commenced.

5. As per the statement of the complainant, namely, Rakesh and victims, namely, Rajesh Kumar & Jagbir and accused persons namely, Shubham Rathi, Dalbir Singh, Shri Om, Sunita, Pooja, Poonam and Varsha, the compromise between the parties appears to be genuine, voluntary and without any coercion and undue influence (Statements attached).

6. As per the statement of the Investigating Officer, namely, L/ASI Neeraj, currently there is no pending case wherein proclamation proceedings have been initiated against the accused person nor the accused persons have ever been declared proclaimed offender by any Court of law.”

4. Learned counsel for the petitioners submits that in view of the report dated 24.11.2025, received from the Court of learned Judicial Magistrate Ist Class, Ganaur, it is evident that the matter has been resolved and private parties have effected a compromise, and there remains no dispute amongst them requiring any adjudication. Further submits that in view of the compromise so effected between the private parties, pendency of the FIR and consequential proceedings emanating therefrom would be sheer abuse of the process of law, and the same can be quashed.

5. Further, learned State counsel as well as learned counsel for respondent Nos. 2 to 4, after going through the statements and the report received from learned Court below, very fairly admit that the private parties have resolved their dispute and effected a compromise and that he has no objection if the FIR (supra) and all the consequential proceedings are quashed on the basis of the compromise.



6. Through catena of judgments, Hon'ble the Apex Court and High Courts (including Punjab and Haryana High Court), have culled out various principles of law concerning quashing of proceedings emanating after lodging of FIR, and some of them are as under:-

- *Power under Section 482 Cr.P.C./Section 582 BNSS can be exercised to enhance social amity, and to reduce friction.*
- *Disputes which have their genesis in a matrimonial discord, landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the Court by exercising its powers under Section 482 Cr.P.C./Section 582 BNSS in the event of a compromise, but this is not to say that the power is limited to such cases.*
- *There can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 Cr.P.C./Section 582 BNSS "to prevent abuse of the process of any Court" or "to secure the ends of justice".*
- *No embargo, be in the shape of Section 320(9) Cr.P.C./Section 359 BNSS, or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C./Section 582 of the BNSS.*
- *The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour.*
- *High Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 Cr.P.C./Section 359 BNSS, in order to prevent the abuse of law and to secure the ends of justice.*
- *Power under Section 482 Cr.P.C./Section 582 BNSS is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court.*
- *Such power has no limits. However, the High Court will exercise it sparingly and with utmost care and caution.*
- *The exercise of power has to be with circumspection and restraint.*
- *The Court is a vital and an extra-ordinary effective instrument to maintain and control social order.*
- *The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society.*



- *Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.*
- *Matters which can be categorized as personal in nature or where nature of injuries do not exhibit mental depravity or involves commission of an offence of such a serious nature that quashing of FIR would override the public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.*

In this regard, judgments cited are:

1. Gian Singh v. State of Punjab and another, (2012) 10 SCC 303 (SC);
2. Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641 (SC);
3. Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834 (SC); and
4. Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 [P&H FB]

7. After hearing learned State counsel and going through the material available on record, this Court finds that there appears to be substance in the prayer made in the instant petition that pendency of the present criminal litigation would be abuse of process of law since the chances of conviction of the petitioners are bleak in view of the compromise, so effected between the private parties.

8. The report alongwith statements of the affected parties received from learned Court below would reveal that the complainant/victim person(s) have genuinely effected a compromise with the petitioners and they have no objection, if the impugned FIR and consequential proceedings are quashed.

9. Keeping in view the totality of the facts and circumstances of the case, including the report received by this Court and also, taking into consideration the aforementioned settled principles of law, this petition is accepted and **FIR (as detailed in para No. 1 above) and all the consequential proceedings arising therefrom** are hereby quashed



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qua the petitioners, in view of compromise dated 29.10.2025 (Annexure P-2).

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 22, 2026
P Kapoor

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO