



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

**258**

**CRM-M-62266-2025(O&M)**

**Date of decision: 23.01.2026**

Narender @ Monu

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Chanderhas Yadav, Advocate for the petitioners.

Mr. Vivek Chauhan, Addl. AG, Haryana.

Mr. Manish Giri, Advocate,  
for respondent No.2.

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**VINOD S. BHARDWAJ, J. (Oral)**

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 case bearing FIR No.117 dated 05.05.2019, under Section(s) 457 and 511 of the Indian Penal Code, 1860, registered at Police Station Sahlawas, District Jhajjar along with all the subsequent proceedings arising therefrom on the basis of compromise dated 01.11.2025 (Annexure P-2).

2. Briefly summarized, the aforesaid FIR was registered on the statement of Suresh, wife of Dharambir Singh, Village Mundsa, relevant part of which is extracted as under:-

*“Today I have withdrawn an amount of Rs.48,000/- in cash from Punjab National Bank Sahlawas. As I noticed that in the bank at Sahlawas Monu son of Chandbir, Caste Jaat, resident of Mundsa was also following me and when after withdrawal of the amount, I came back to the house, thereafter, I put the amount in my house in open alimirah, then after putting the*

*amount, I started work in my house. In the night at about 10:40 p.m. one boy, whose face I recognized, his name was Monu, who was following me during the day also, he has stolen Rs.48,000/- from my house, when we tried to catch him, then we could not over power him and he run away from the spot. Please take legal action against him.”*

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 07.11.2025 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, Jhajjar, vide Memo No.233 dated 22.12.2025. The relevant extract of the report is reproduced as under:-

*”3. Statement of HC Sandeep was recorded qua the required information. On the basis of statements of the parties and statement of HC Sandeep, report of the undersigned on the required points is as follows:*

*i) On the basis of the statements of the parties, as referred above and as per statement of HC Sandeep, undersigned is of the view that in the above-said FIR, only person namely Narender @ Monu was found involved as accused in the dispute/FIR. He has not been declared proclaimed offender in this case and no such other proceedings against him has been initiated. adjudication. or pending*

*(ii) There is only one complainant/victim namely Smt. Suresh in this FIR.*

(iii) Complainant Smt. Suresh and accused Narender @ Monu have signed compromise Annexure-P2

(iv) On the basis of the statements of the parties, as referred above, undersigned is of the view that the compromise is genuine, voluntary and without any coercion or undue influence.”

5. 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 respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

7. 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.”*

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 arises out of 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) The petitioner is a young individual aged about 26 years and continued prosecution is likely to cause disproportionate

prejudice to his future prospects, livelihood and chances of social rehabilitation.

(iii)The allegations pertain to a single instance of theft of a modest amount and do not reflect a pattern of habitual or grave criminal conduct on the part of the petitioner.

(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 characterised 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, Jhajjar 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.117 dated 05.05.2019, under Section(s) 457 and 511 of the Indian Penal Code, 1860, registered at Police Station Sahlawas, District Jhajjar along with all the subsequent proceedings arising therefrom is hereby quashed in view

of the compromise dated 01.11.2025 (Annexure P-2).

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

**23.01.2026**

*Sumit Gusain*

**(VINOD S. BHARDWAJ)**  
**JUDGE**

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