



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

254

CRM-M-63989-2025 (O&M)

Date of decision: 06.02.2026

Sharanjit Singh Kullar

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Pranav Handa, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. G.S. Vinkadu, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition filed for seeking quashing of case bearing FIR No.168 dated 29.09.2025 registered under Sections 325 of the Bharatiya Nyaya Sanhita, 2023 and Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 at Police Station Cantt. Jalandhar, District Police Commissionerate Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise deed dated 28.10.2025 (Annexure P-2).

2. The FIR in the present case came to be registered on the statement made by Anju, wife of Manoj Kumar, alleging therein that the petitioner, who is stated to be addicted to alcohol, had assaulted and beaten her pet dog to death.

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 14.11.2025 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, Jalandhar vide Memo No. 02 dated 05.01.2026. The relevant extract of the report is reproduced as under:-

- “ 1) Total number of persons found involved as accused in the dispute/FIR:-As per statement of the complainant as well as Investigating Officer ASI Rajinder Pal, only one accused person has been arrayed as accused in the present FIR.*
- 2) Number of complainant/victim(s): As per statement of Investigating Officer ASI Rajinder Pal, there is one complainant namely Anju in the present case.*
- 3) Whether all the accused and complainant/victim(s) are party to the compromise and signed the same: Accused and complainant are party to the compromise Ex.PA and signed the same.*
- 4) In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof: As per statement of Investigating Officer ASI Rajinder Pal, there is no affected person (accused or complainant) who has been*

left out or not arrayed as party in the quashing petition before the Hon'ble High Court.

5) *Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication: As per statement of Investigating Officer ASI Rajinder Pal, accused has never declared as proclaimed offender in the present case.*

6) *Report of the Court whether compromise is genuine, voluntary and without any coercion or undue influence: Having recorded the statements of complainant and accused person and after examining them orally as well, this court is of the considered opinion that compromise so arrived between the parties is genuine, voluntary and without any coercion or undue influence.*

7) *Any other aspect relevant to the present case: NIL”*

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 respondent No. 2 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 incident appears to have arisen out of a localized dispute between known persons residing in proximity. It does not disclose any larger element of organized criminal conduct or societal impact beyond the immediate parties.*
- ii) *The allegation pertains to an isolated act concerning a domestic animal and does not involve cruelty on a large scale, public disorder or repeated criminal behaviour affecting the community at large.*
- iii) *Petitioner is of 47 years of age and continued criminal incarceration will cause severe repercussions to the petitioner in discharge of his social obligations as well as in his work place.*
- 4) *The FIR in question pertains to the year 2025 and the proceedings are at an early stage.*
- 5) *The complainant has voluntarily entered into a compromise and expressed no desire to pursue the matter further, thus, continuation of criminal proceedings may serve no meaningful purpose.*
- 6) *If the petitioner has no prior criminal antecedents and the alleged act arose in a moment of intoxication without premeditation, the matter may warrant a reformatory rather than punitive approach.*

- 7) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court;*
- 8) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and only result in futile expenditure of judicial time.*

11. In view of the report of the Judicial Magistrate 1st Class, Jalandhar 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 No.168 dated 29.09.2025 registered under Sections 325 of the Bharatiya Nyaya Sanhita, 2023 and Section 11(1) of the Prevention of Cruelty to Animals Act, 1960 at Police Station Cantt. Jalandhar, District Police Commissionerate Jalandhar along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) on the basis of compromise deed dated 28.10.2025 (Annexure P-2).

12. Before parting with the matter, this court is constrained to observe that cruelty towards animals is a matter of serious concern and cannot be viewed with indifference. Animals, being mute and incapable of articulating their suffering or seeking legal redress, are entirely dependent upon human conscience and the protection of law. It is for this very reason that the Legislature has incorporated stringent penal provisions such as Section 325 of the Bharatiya Nyaya Sanhita, 2023, so as to ensure that acts

of brutality do not go unchecked. The law thus recognizes that the dignity of living beings extends beyond human persons and that cruelty against animals undermines societal morality.

13. At the same time, where the act appears to be isolated, not part of habitual or organized cruelty and where the accused has no prior criminal antecedents, a reformatory approach may better serve the ends of justice than a purely retributive one. The object of criminal jurisprudence is not merely to punish but also to reform and rehabilitate. In view of the aforesaid circumstances, the petitioner is directed to report before the District Animal Welfare Committee, Jalandhar, within a period of two months of the date of receipt of a certified copy of this order. Upon such appearance, the petitioner shall render voluntary service, as assigned by the said Committee, including but not limited to assistance at animal shelters, participation in animal care activities, and involvement in awareness programmes relating to prevention of cruelty to animals, for a period of 1 month and in such manner as may be specified by the Committee to instill sensitivity and accountability in the accused. Compliance report shall be submitted before this Court upon completion of the assigned service.

14. Petition is ***allowed***.

(VINOD S. BHARDWAJ)
JUDGE

06.02.2026

Mangal Singh

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