



CRM-M-63827-2025 (O&M)

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

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CRM-M-63827-2025 (O&M)

Date of decision: 26.05.2026

Mohd. Haneef**...Petitioner(s)****VERSUS****State of Haryana & anr.****...Respondent(s)****CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Ajay Singh Pundir, Advocate for
Mr. T.S. Hundal, Advocate
for the petitioner.

Mr. Rajiv Malhotra, DAG Haryana.

Ms. Manpreet Kaur, Advocate for
Mr. Balraj Singh, Advocate
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for seeking quashing of FIR No.325 dated 06.08.2025, registered under Section(s) 125(a) and 281 of BNS, 2023 at Police Station Chandimandir, District Panchkula, along with all the subsequent proceedings arising therefrom on the basis of compromise dated 11.08.2025 (Annexure P-2).

2. The present FIR was registered on the complaint of Rinku. The same reads thus:-

“Statement of Rinku son of Shri Liyash village Uplana Barara Ambala Mo. 8814074752. Stated that I am a resident of the above address, age 40 years, I work as a daily wager, we are four sisters, the eldest is Jafar, aged 45 years, Rinku, myself, Saibar Ali, aged 37 years,



Kanizha younger sister, aged 34 years, I am married, my wife's name is Seema, 38 years and I have two children, elder son Armaan, 17 years, younger son Usman Khan, 14 years, I went to my friend Rajesh Bunty, Mo. 9350309673, on 01.08.2025 from Shahzadpur Panchkula Highway on my friend's motorcycle Splendor Plus Bike No. HR-04M-9427 to get ginger tikka bunga tibbi done. Rain water was falling below Mattawala flyover. The speed of my bike was 30. When I about to turn towards Matta Wala, a white colour car No. HP 17D 3459 was coming from Barwala at around 5.40 AM. The driver of the car, driving at a high speed, negligently and without giving horn, hit me from behind and without stopping the car and left us on the deserted road and fled with his car. The passersby took me to the hospital at GH SEC 6. The doctor said that I have fracture in my leg. Please, legal action should be taken against the driver of the car that caused the accident. Till now we have been discussing among ourselves about the settlement but I have not got justice. I have got my statement written to you, you have heard it which is correct. I have given my statement in my senses in front my wife Seema.”

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 05.02.2026 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.

5. Pursuant to the said order, report has been received from the Chief Judicial Magistrate Panchkula, vide Memo No.663 dated 22.05.2026. The relevant extract of the report is reproduced as under:-

“i. As reported by the Investigating Officer, there is only one FIR named accused namely Mohd. Haneef.

(ii) As per the report of the Investigating Officer, there is only one complainant/victim namely Rinku.

(iii) As per the report of the Investigating Officer, the accused and the complainant present themselves in the Court to get their statements recorded with respect to the compromise.

(iv) No affected person was left out in the quashing petition filed in the Hon'ble High Court.

(v) As reported by the Investigating Officer, none of the accused is a proclaimed offender in the present case or in any other case.

(vi) From the aforesaid statements suffered by the parties before this Court, it appears that the said compromise is genuine and has been voluntarily entered between the parties by their free consent and without any inducement, threat or promise.

(vii) According to the report of the Investigating Officer, as per record, no other criminal case is pending against accused Mohd. Haneef.

6. Learned counsel appearing on behalf of respondent No. 2 reiterates the settlement and her concurrence to the FIR and all the other consequential proceedings being quashed.



7. Learned State counsel does not dispute the factum of the compromise amongst the parties.

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 BNS:-

i) The dispute in question arose from the road accident due to rash driving of petitioner, and it now stands resolved between the respective parties.

ii) Petitioner is of 40 years of age and continued criminal incarceration will cause severe repercussions



to the petitioner in the discharge of his social obligations as well as in his workplace.

iii) 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;

iv) 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 Chief Judicial Magistrate, Panchkula 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. The aforesaid FIR and all other consequential proceedings arising therefrom, are hereby quashed qua the petitioner(s) in view of compromise dated 11.08.2025 (Annexure P-2) entered between the parties.

12. Petition is allowed.

26.05.2026
monika

(VINOD S. BHARDWAJ)
JUDGE

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