



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

282 & 284

Date of decision: 10.02.2026

CRM-M-64192-2025

JASWANT SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CRM-M-64795-2025

BALJINDER SINGH AND OTHERSPetitioners

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present: - None for the petitioners in both petitions.
None for the respondents in both petitions.
Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. Both these petitions, arising from the version and a cross-version, in the same FIR and from the corresponding General Diary entry are being decided jointly by a common order. For the sake of convenience and brevity,

the facts are being adverted to from CRM-M-64192-2025.

2. Prayer in the above petition is for quashing of FIR No.180 dated 09.12.2024 under Sections 125, 118 (1), 115(2), 191(3), 190 & 351 of BNS, 2023 and Sections 25 & 27 of the Arms Act, 1959 registered at Police Station Dinanagar, District Gurdaspur while prayer in CRM-M-64795-2025 is for quashing of G.D. No.26 dated 02.01.2025 (Annexure P-2) under Sections 118(2), 324(4), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023') along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 01.10.2025 (Annexure P-3).

3. The FIR was registered on the statement of Surjit Kaur wife of Baljinder Singh, the same reads as under:-

“..... I am a resident of the above-mentioned address and do household work. My husband is engaged in farming, and I have two sons namely Navdeep Singh who is settled abroad and the other one namely Jagdeep Singh who lives at home. We have a shop inside our house, which is in my husband's name. On 21.12.2023, this shop was rented out to Jaswant Singh son of Makkhan Singh, resident of House Number 01, G.T. Road, Dashmesh Colony, Dinanagar for 11 months at a rent of ₹15,000 per month. The shop's rent commenced on 01.01.2024 and ended on 30.11.2024. My husband and my family members had asked him to vacate the shop as per the agreement two months before 30.11.2024, but after the time passed, we locked our shop and told the said Jaswant Singh that he could pick up his belongings whenever he wanted. On

07.11.2024, just after sunset, the said Jaswant Singh and his son Manpreet Singh alias Mann, along with about 15-16 unknown persons, came to the shop. Jaswant Singh broke the shop's locks. When I tried to stop him from breaking the lock, he also verbally abused me. After entering into the shop, all the said individuals created a scene and thereafter they locked the shop and left. While leaving, they also gave life threats to my family members and me. On 08.12.2024, around 9:00 a.m. in the morning when I was cleaning in the courtyard outside my house, Jaswant Singh and his son Manpreet Singh alias Mann arrived in their car, with registration number PB 06 AD 8786, make Skoda, silver color, and stopped the car on the road. Said Jaswant Singh got out of the car and started verbally abusing our family. He took out a pistol from his pocket, pointed it at us, and put our lives in danger, saying that they would not vacate the shop. My brother, Pritam Singh son of Dharam Singh, resident of Bandiwala, Police Station Dhariwal, had come to our house to meet us in the morning and was standing outside. Jaswant Singh then pointed his pistol at my brother. Hearing the noise, former Sarpanch Surinder Kumar, current Sarpanch Ashok Kumar, residents of Kothe Lehgarh and Panchayat member Sarwan Singh son of Amarjeet, resident of Bandechak, arrived at the spot. He pointed his pistol at them also. Both of them tried to persuade Jaswant Singh, saying that they would arrange a sitting for them to talk, but Jaswant Singh did not listen to anyone. Jaswant Singh and his son became aggressive. During this tussle, Santokh Singh son of Dalbir

Singh, resident of Ghesal and Balkar Singh son of Ratan Singh, resident of Taragarh Mor, Dinanagar also started pushing and manhandling our family members. During the tussle, Jaswant Singh's pistol fell to the ground. My daughter-in-law's mother, Aasa Rani wife of Bisan Das, resident of Arya Nagar, Dinanagar, picked up the pistol, put it in her shawl, and took it home. Manpreet Singh alias Mann then took out a knife from his pocket and made three attempts to strike me. To defend myself, I put my left hand forward, which was hit on the back of my left hand and on the ring finger of my left palm. Then Manpreet Singh alias Mann took out a wooden handle from his car and struck my brother Pritam Singh with it, which hit the back of his left hand, between his little finger and ring finger. Seeing the villagers gathering. Jaswant Singh and his son Manpreet Singh alias Mann, along with their companions and weapons, fled the spot. The reason for the fight is that he wants to illegally occupy our shop despite the agreement. Therefore, he pointed his pistol at every member of our family and the witnesses and inflicted injuries with a knife.”

4. The cross-version leading to entering of the G.D No.26 dated 02.01.2025, on the statement of Jaswant Singh son of Makhan Singh resident of Dashmesh Colony, Dinanagar, reads thus:-

“.....Stated that I am a resident of the above-mentioned address and I am a retired Senior Manager from Punjab & Sind Bank Gurdaspur, and I have opened a showroom in Jhande Chak, G.T. Road, in the name of Guru Sons Furniture. This

showroom was taken by me from Baljinder Singh son of Mohinder Singh resident of Jhande Chak through a written lease agreement dated 30.11.2024. As per the condition of the lease agreement, the monthly rent is Rs. 15,000/- and after the expiry of the lease period, it is written to be Rs. 15,500/- from the next year. A lot of my furniture material is lying inside the showroom. I have given Rs. 15,000/- in advance to Baljinder Singh, which is mentioned in the lease agreement. A lot of valuable material is kept in my showroom. In August 2024, Baljinder Singh demanded 7 lakh rupees from me, saving that he wants to send his son abroad. I expressed my inability to pay that much money, and he started pressuring me to vacate the showroom. I explained a lot to him, but despite my explaining, he did not agree, and Baljinder Singh said that on dated 30.11.2024, he threatened to pick up my material from inside the showroom and throw it outside. I filed an application for a stay in the Honourable Court on dated 30.09.2024, in which Baljinder Singh appeared in the said court on the second hearing date and asked the Judge for time to hire his lawyer. Now the next date of hearing is January 2, 2025. During this time, on dated 30.11.2024, the said Baljinder Singh put his own lock on my rented showroom and threw the showroom's signboards here and there. On dated 08.12.2024, at about 9 AM, my son Manpreet Singh alias Mann and I went in my car to open the showroom, and in front of the showroom, Pritam Singh son of Dharam Singh resident of Bandiwala, Police Station Dhariwal (armed with a sharp-edged

weapon/Gandaasi), Baljinder Singh son of Mohinder Singh, Jagdeep Singh son of Baljinder Singh, Surinder Kumar alias Ghona ex-Sarpanch, all residents of Katthe Lehgarh, Satnam Singh alias Satta son of Gyan Singh. Surjit Kaur wife of Baljinder Singh, Amarjit Singh son of Surinder Singh, all residents of Katthe Lehgarh, and Asha Rani wife of Bishan Das resident of Aryan Nagar Dinanagar were standing. As soon as I stopped the car, Baljinder Singh shouted and said that Jaswant Singh and his son Manpreet Singh alias Mann have come, don't let them go back. And the said Jagdeep Singh picked up a brick from the ground and threw it at my car, which hit the front windshield of my car and the glass broke. My son and I quickly got out of the car, and all the said persons surrounded me and my son. All the said persons punched and shoved my son in front of me, and the said Pritam Singh attacked me with his hand-held sharp-edged weapon (Gandaasi). I saved myself, and I took out my licensed revolver from my left hip/waist and pointed it towards the said persons to defend myself. All the persons surrounded me and threw me on the ground. Pritam Singh made a second strike with his hand-held sharp-edged weapon (Gandaasi) on me, which I raised my right hand to defend myself while lying down, and it hit the index finger of my right hand. While I was lying down, all the said persons punched, shoved, and kicked me, and I put my revolver back in my hip/waist. While I was lying down, the said Asha Rani took the revolver out of my left hip/waist, hid it under a shawl, and ran away. Meanwhile, my son and I raised a hue and cry of

"Mar ditta, mar ditta" (Killed, Killed). Hearing our noise, two persons, Santokh Singh son of Dalbir Singh resident of Ghesal and Balkar Singh son of Ratan Singh resident of Taragarh Med Dinanagar, who are my customers and had come to my showroom to buy furniture, came to the spot and rescued me and my son from the said aggressors. The said aggressors fled from the spot. The reason for the incident is that the said Baljinder Singh wants to forcibly vacate the showroom. I went in my car to Civil Hospital Singhowal, where the doctor examined me and prepared my medical report, which I have presented to you today."

5. The parties however entered into a settlement with the intervention of the respectables & resolved their issues. The present petitions were accordingly filed. When the matter came up for hearing, the parties were directed to appear before the learned trial Court/Illaq Magistrate, vide order dated 17.11.2025 passed by this Court, to get their statements recorded regarding the compromise and a report in this regard was called for. A similar direction was given vide order dated 18.11.2025 in CRM-M-64795-2025.

6. Pursuant to the said orders, report has been received from the Judicial Magistrate 1st Class, Gurdaspur vide Memo No. 63 dated 23.01.2026.

The relevant extract of the report reads thus:-

"(i) Total four persons namely Jaswant Singh son of Makhan Singh and Manpreet Singh son of Jaswant Singh both residents of Kothi No.1, GT Road, Dashmesh Nagar, Dinanagar, Tehsil Dinanagar, District Gurdaspur, Santokh Singh son of Dalbir Singh resident of village Ghesal P.S. Dinanagar, Tehsil Dinanagar, District Gurdaspur and Balkar Singh son of Rattan

Singh resident of village Taragarh Mor, Tehsil Dinanagar, District Gurdaspur are involved as accused in the dispute/FIR.

(ii) Surjit Kaur wife of Baljinder Singh resident of Lohgarh Kothe, Tehsil Diannagar, District Gurdaspur is the complainant and Pritam Singh son of Dharam Singh resident of village Bandianwala, PO Gurdas Nangal, Tehsil and District Gurdaspur is injured in the present case.

(iii) Complainant Surjit Kaur and injured Pritam Singh are party to the compromise and signed the same.

(iv) No affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before Hon'ble High Court.

(v) No accused has been declared as a proclaimed offender/person nor any such proceedings against him/her have been initiated or pending adjudication.

(vi) As per the statement of the parties recorded in the Court, the compromise, so arrived at between the parties, is genuine, voluntarily and out of free will.

(vii) Nil.

7. A similar report has also been received in the second case as well.

The same not being disputed and being similar needs no reiteration.

8. 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.

9. The Hon'ble Supreme Court in the case of ***Yogendra Yadav & Others v. State of Jharkhand & Another*** reported as ***(2014) 9 SCC 653*** has held that although non-compoundable offences under Section 320 Cr.P.C. cannot be formally compounded, the High Court can still quash such criminal

proceedings in appropriate cases by exercising its inherent powers under Section 482 Cr.P.C., if the parties have genuinely and voluntarily settled their dispute. The Court has held that this power must be exercised on a case-to-case basis. Serious and heinous offences affecting society at large, such as rape or murder, cannot be quashed on the basis of compromise. However, where the dispute is purely personal, does not affect public peace, the victim has no objection, and continuation of proceedings would serve no useful purpose, the High Court may quash the case to secure the ends of justice and avoid unnecessary waste of judicial time. The relevant extract thereof reads as thus :

4. Now, the question before this Court is whether this Court can compound the offences under Sections 326 and 307 of the IPC which are non-compoundable. Needless to say that offences which are non-compoundable cannot be compounded by the court. Courts draw the power of compounding offences from Section 320 of the Code. The said provision has to be strictly followed (Gian Singh v. State of Punjab, 2012(4) RCR (Criminal) 543 : 2012(4) Recent Apex Judgments (R.A.J.) 549 : (2012)10 SCC 303). However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable. In which cases the High Court can exercise its discretion to quash the proceedings will depend on facts and circumstances of each case. Offences which involve moral turpitude, grave offences like rape, murder etc. cannot be effaced by quashing the proceedings because that will have harmful effect on the society. Such offences cannot be said to be restricted to two individuals or two groups. If such offences are quashed, it may send wrong signal

to the society. However, when the High Court is convinced that the offences are entirely personal in nature and, therefore, do not affect public peace or tranquillity and where it feels that quashing of such proceedings on account of compromise would bring about peace and would secure ends of justice, it should not hesitate to quash them. In such cases, the prosecution becomes a lame prosecution. Pursuing such a lame prosecution would be waste of time and energy. That will also unsettle the compromise and obstruct restoration of peace.

10. 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:-

- a. The entire controversy arises out of a tenancy agreement concerning a shop rented for a fixed term of 11 months. The substratum of the dispute is essentially civil in nature, relating to possession and alleged non-vacation of premises after expiry of lease.
- b. The allegations stem from disagreement over vacating the shop. Such disputes ordinarily fall within the realm of civil remedies rather than constituting independent criminal design.
- c. The incident appears to have occurred in the backdrop of heightened tension between landlord and tenant. Allegations of weapon display and altercation may have arisen in the heat of the moment during a property confrontation.
- d. Although injuries are alleged, there is no allegation of fatal

injury or life-threatening grievous hurt and in the absence of the same, the gravity of the offence may not reach the threshold of heinous crime affecting public at large.

- e. The dispute is confined to known individuals within the same locality and does not disclose organized criminality or broader societal impact.
- f. Subsequent to the registration of the FIR, the parties have resolved their differences amicably and have chosen to restore cordial relations.
- g. In view of the settlement, the complainant is unlikely to support the prosecution case and the continuation of the proceedings would have little or no likelihood of resulting in conviction.
- h. Permitting the criminal proceedings to continue despite settlement would serve no useful purpose and would only result in unnecessary harassment of the parties and wastage of valuable judicial time.
- i. Quashing of the FIR in the facts and circumstances of the case would secure the ends of justice, promote peace and harmony between the parties and prevent abuse of the process of law.

11. In view of the report submitted by the Judicial Magistrate First Class, Gurdaspur and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petitions are allowed. The aforesaid FIR No.180 dated 09.12.2024 under Sections 125, 118 (1), 115(2), 191(3), 190 & 351 of BNS, 2023 and Sections 25 & 27 of the Arms Act, 1959 registered at Police Station Dinanagar, District Gurdaspur as well as G.D.

No.26 dated 02.01.2025 under Sections 118(2), 324(4), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Dinanagar, District Gurdaspur and all other consequential proceedings arising therefrom are directed to be quashed subject to depositing the costs/production of proof of such deposit, as directed by this Court vide order dated 17.11.2025 in view of the compromise dated 01.10.2025 (Annexure P-3).

Petitions are allowed.

(VINOD S. BHARDWAJ)
JUDGE

FEBRUARY 10, 2026
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No