



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

243

CRM-M-65307-2025

BHAGWANT SINGH

....PETITIONER

V/s

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

Date of decision: 24.04.2026

Date of Uploading: 24.04.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kunal Choksi, Advocate for the petitioner.

Mr. Gaurav Gurcharan S. Rai, Sr. DAG, Punjab.

Mr. Sunil Kumar Rangi, Advocate for respondents No.2 and 3.

SUMEET GOEL, J. ORAL

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.48 dated 17.06.2025 under Sections 281, 125(a), 125(b) of BNS, registered at Police Station Mulepur, District Fatehgarh Sahib and all consequential proceedings arising therefrom on the basis of compromise dated 11/12.11.2025 (Annexure P-3 and P-2), which is stated to have been effected between the parties.

2 On 11.03.2026, the following order was passed:

Petitioner, an accused in case bearing FIR No.48 dated 17.06.2025 registered against him at Police Station Mulepur, District Fatehgarh Sahib, for commission of offences punishable under Sections 281, 125(a), 125(b) BNS, has prayed for quashing of the aforesaid FIR and all the proceedings arising therefrom, on the strength of compromise dated 11.11.2025 and 12.11.2025.

Learned counsel for the petitioner submits that all the parties to the dispute, have amicably resolved their dispute through the aforesaid compromise. Therefore, if proceedings arising from the aforesaid FIR, and all the consequential proceedings arising therefrom, are quashed, all the parties and their family members will be able to live their lives peacefully. Learned counsel for respondents No.2 and 3 endorses the factum of compromise. Concerned parties are directed to appear before the learned Trial Court/Illaqa Magistrate, on or before 16.03.2026, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, well before the adjourned date:-

Sr. No.	Information required
1.	Total number of persons found involved as accused in the dispute/FIR
2.	Number of complainant/victim(s)
3.	Whether all the accused and complainant/victim(s) are party to the compromise and signed the same
4.	Statement of the Investigating Officer of the case.
5.	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; OR
6.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication
7.	Report of the Court whether compromise is genuine, voluntary and without any coercion or undue influence.
8.	Whether petitioner/s is involved in any other case.
9.	Any other aspect relevant to the present case.

*Report be awaited for 16.04.2026.
Reply by the respondent-State, if any, be filed on or before the next date of hearing, with copy in advance to the opposite counsel.”*



3. Pursuant to the aforesaid order, report dated 17.03.2026 from Judicial Magistrate, Ist Class, Fatehgarh Sahib, has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

"Stated that I had got registered FIR No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur, District Fatehgarh Sahib against the accused Bhagwant Singh son of Sarban Singh resident of Village Bhagrana, PS Badali Ala Singh, District Fatehgarh Sahib to the said I-IR, I have compromised the matter amicably with the said accused Bhagwant Singh son of Sarban Singh resident of Village Bhagrana. PS Badali Ala Singh, District Fatehgarh Sahib, without any threat, pressure, or coercion with the intervention of respectable persons. I have no objection if No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur against the said accused is quashed and he be acquitted in the said FIR. The copy of my Aadhar card is Mark-1."

The statement of injured Sajan Kumar is as under:-

"Stated that FIR No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur, District Fatehgarh Sahib was registered by complainant Sarabjeet Singh against the accused Bhagwant Singh son of Sarban Singh resident of Village Bhagrana, PS Badali Ala Singh. District Fatehgarh Sahib. In the said FIR, I am injured victim and I have compromised the matter amicably with the said accused Bhagwant Singh son of Sarban Singh resident of Village Bhagrana, PS Badali Ala Singh, District Fatehgarh Sahib, without any threat, pressure, or coercion with the intervention of respectable persons. I have no objection if No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur against the said accused is quashed and he be acquitted in the said FIR. Dy-cope atins Aadhar card is Mark-2"

The statement of accused Bhagwant Singh is as under:-

"Stated that I have heard the statements made by the complainant Sarabjeet Singh and injured/victim Sajan Kumar today in the Court, which is correct. The said complainant had lodged FIR No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur. District Fatehgarh Sahib against me. The matter has been compromised amicably in the said FIR with the said complainant and injured/victim without any threat, pressure, or coercion with the intervention of respectable."

The said FIR may kindly be quashed and I may be acquitted in the said FIR. The copy of my Aadhar card is Mark-3."



It is further submitted by ASI Nazar Singh, the Investigating Officer of the present case, that he had conducted investigation in FIR No.48 dated 17.06.2025 under Sections 281, 125(A), 125 (B) BNS in Police Station Mulepur, District Fatehgarh Sahib. As per his statement beside the accused Bhagwant Singh there is no other accused nominated in the present case. No accused has been declared as a proclaimed offender in the present FIR and there is no other criminal case pending against the accused person named above during his posting.

It is further submitted that from the above said statements of the parties so recorded by me, the compromise arrived at between the parties apparently appears to be a genuine compromise and is the voluntary act of the parties without there being any sort of pressure, threat or coercion from any corner.”

4. Learned counsel for respondent Nos.2 and 3 admits the factum of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioner is quashed.

5. Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise (Annexure P-2).

6. I have heard learned Counsel for the parties and have carefully gone through the records of the case.

7. This Court and the Hon'ble Apex Court has repeatedly dealt with the issue of exercise of jurisdiction under Section 482 of the Code to quash proceeding in non-compoundable offences in the cases of ***Gian Singh vs. State of Punjab and another, 2012(10) SCC 303, Kulwinder Singh & others vs. State of Punjab & another, 2007 (3) RCR (Criminal) 1052 and Ram Gopal and another vs. State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322 (Criminal Appeal No.1489 of 2012 decided on 29th of September, 2021)***. The proposition of law that emerges from the aforesaid decisions rendered by the Hon'ble Apex Court and this Court is :

(a) *Power u/s 482 Cr.P.C. vested with this Court is much wider and is unaffected by Section 320 of the Code.*



- (b) *However, wider the power greater the caution.*
- (c) *The underlining principle while exercising such power is that it can be invoked to quash the proceedings recognizing compromise between the parties in the matters which are overwhelmingly and predominantly of civil character like commercial transactions or arising out of matrimonial relationship or family disputes.*
- (d) *The said power is not to be exercised in the prosecutions involving heinous and serious offences of mental depravity or offences like murder, rape, dacoity etc. as such offences are not private in nature and have a serious impact on society.*
- (e) *Section 482 Cr.P.C. casts duty upon the High Court to advance interest of justice as well. It is in recognition of this duty casted upon the High Court, that Apex Court held that the High Court would not refuse to quash FIR under Section 307 merely because FIR finds mention thereof. High Court can assess nature of injuries sustained, whether such injuries inflicted on vital/delicate parts of the body/nature of weapons used etc.*
- (f) *Such exercise at the hands of High Court would be permissible only after the evidence is collected after investigation and chargesheet is filed/charges framed during the trial. Such exercise cannot be carried out while the matter is still under investigation.*
- (g) *While quashing FIR in non-compoundable offences even which are of private in nature, High Court is required to consider antecedents of the accused, conduct of the accused and whether he was absconding or whether he has managed the complainant to enter into a compromise.*

The statutory provision of Section 528 of BNSS, 2023 is same as the statutory provision of Section 482 of Cr.P.C., 1973. Therefore, the above said principles of law would apply to a petition under Section 528 of BNSS, 2023 as well.

8. Thus, keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that it is a fit case to exercise jurisdiction vested u/s 528 of BNSS, 2023 to quash the FIR as :-

- (i) *Putting a quietus to the proceedings will bring peace and tranquility amongst parties & will accordingly further the cause of substantial justice.*
 - (ii) *The offences alleged are primarily of private nature.*
 - (iii) *The parties have compromised.*
 - (iv) *As per the report received the compromise is said to be voluntary in its nature.*
 - (v) *Complainant/victim is reported to have entered into compromise on his own volition*
9. Consequently, the petition is allowed. FIR No.48 dated 17.06.2025 under Sections 281, 125(a), 125(b) of BNS, registered at Police Station Mulepur, District Fatehgarh Sahib and all consequential proceedings arising therefrom on the basis of compromise dated 11/12.11.2025 (Annexure P-3 and P-2), are, hereby, quashed.
10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

24.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No