



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

275

CRM-M-65869-2025(O&M)

Date of decision: 05.05.2026

Sachin Batra

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- None for the petitioners.

Mr. Mohit Kapoor, Sr.DAG, Punjab.

None for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing of FIR No.110 dated 16.04.2023 registered under Sections 353, 186 of the Indian Penal Code, 1860, at Police Station Zirakpur, District SAS Nagar, along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.10.2023 (Annexure A-1).

2. The facts of the present case, in brief, are that the FIR was registered on the statement of ASI Balwinder Singh, No. 43/SAS Nagar, who was posted as Traffic Incharge at Chatt Chowk, Zirakpur, District SAS Nagar. As per the allegations levelled in the statement, on the day of occurrence, the complainant along with HC Tapinder Singh was present at Chatt Chowk in connection with traffic regulation duty. At about 1:30 PM, Sachin Batra, resident of Maya Garden, VIP Road, Zirakpur, arrived at the spot in a white Creta car and attempted to place an iron traffic post/banner in the middle of the chowk for advertisement purposes relating to "Horizon Group". It was alleged that the complainant objected to the placement of the

said advertisement structure in the middle of the chowk on the ground that the area was heavily congested with traffic and such placement could result in accidents. The complainant further stated that he advised Sachin Batra to obtain permission or directions from senior officials before placing the said structure. However, Sachin Batra refused to comply and used abusive language. It was further alleged that upon the complainant reiterating his objection, one Pardeep Kumar, resident of Village Teor, District SAS Nagar, also arrived at the spot. Thereafter, Sachin Batra caught hold of the complainant by the collar of his uniform and pulled him forcefully, resulting in the breaking of the collar button and tearing of the uniform. It was also alleged that the complainant was pushed from behind, causing him to fall on the ground, whereupon a crowd gathered at the spot. According to the complainant, Sachin Batra thereafter fled from the spot along with two unidentified persons accompanying him in the said vehicle. It was further stated that while the complainant was proceeding towards Police Station Zirakpur to report the matter, he met the police party near the gate of the police station and narrated the incident. On the basis of the aforesaid allegations relating to obstruction in discharge of official duty and tearing of the police uniform, the present FIR came to be registered.

3. However, the parties have decided to compromise the matter. Hence, the present petition.

4 The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 16.01.2026 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, cost has been deposited and receipt thereof is taken on record. A report has also been received from Judicial Magistrate First Class, Dera Bassi, vide Memo No.113 dated 02.05.2026.

The relevant extract of the report is reproduced as under: -

“From the perusal of the above statements of parties and Investigating Officer, this Court is satisfied that applicant/accused and complainant with the intervention of respectables and as per statements recorded by them, this Court is of considered opinion that the compromise effected between the parties is genuine, valid, voluntary and without any coercion or undue influence. The following information as ordered by the Hon'ble Punjab & Haryana High Court is given as under:-

L As per record and information provided by the Investigating Officer in the present case only accused/petitioner Sachin Batra is involved as accused.

II. As per record and information provided by the Investigating Officer only Retd. ASI Balwinder Singh is complainant/victim in the present ease.

III. As per record and information provided by the Investigating Officer only Retd. ASI Balwinder Singh is complainant/victim in the present case, who is party to compromise and signed the same.

IV. As per record and information provided by the Investigating Officer the FIR was got registered by the complainant Retd. ASI Balwinder Singh only against accused Sachin Batra, who are arrayed in the present case and there is no other accused other than the petitioner and respondent, arrayed in this petition.

V. As per record and information provided by the Investigating Officer none of the accused has been declared Proclaimed Offender.

VI. As per statements recorded by the parties, this Court is of considered opinion that the compromise effected between the parties is genuine, valid, voluntary and without any coercion or undue influence.

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. Hon'ble Supreme Court in the matter of '**Narinder Singh and others v. State of Punjab and another**', reported as **(2014) 6 SCC 466**, laid down the following principles for invocation of powers under Section 482 CrPC:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether

incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.

29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain

from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.”

8. 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 BNSS:-

- i. The genesis of the dispute lies in a sudden altercation that arose when the petitioner attempted to place an advertising traffic post/banner at Chatt Chowk, to which objection was raised by the complainant-ASI on account of traffic regulation and safety concerns. The occurrence was spontaneous in nature and arose out of a momentary confrontation at the spot, without any premeditation or prior criminal design.
- ii. The incident is isolated and personal in nature, confined to the parties involved and does not disclose any element affecting the larger societal interest so as to warrant continuation of criminal proceedings.
- iii. The petitioner is a middle-aged person aged about 50 years and

is burdened with familial, social and professional responsibilities. Continuation of criminal proceedings would adversely affect his reputation, livelihood and ability to discharge his obligations towards his family and society.

- iv. Subsequent to the registration of the FIR, the parties have amicably resolved their disputes and differences with the intervention of respectable members of society and the compromise so arrived at is stated to be genuine, voluntary and free from any coercion or undue influence.
- v. In view of the settlement effected between the parties, the complainant is no longer interested in pursuing the matter and is unlikely to support the prosecution case during trial, thereby rendering the possibility of conviction remote and bleak.
- vi. The offences alleged, in the peculiar facts and circumstances of the present case, cannot be categorised as heinous offences of such gravity as would shock the conscience of society or undermine public morality.
- vii. The continuation of criminal proceedings despite settlement between the parties would only perpetuate unnecessary litigation and harassment, without serving any meaningful public purpose or advancing the cause of justice.
- viii. The petitioner is not a habitual offender and there is nothing on record to suggest any criminal antecedents or continuing criminal conduct on his part, thereby indicating that the occurrence was an isolated aberration.

ix. The proceedings are likely to consume substantial judicial time and resources, whereas the parties themselves have chosen to bury their differences and restore cordial relations.

x. In the totality of the circumstances quashing of the FIR and all consequential proceedings would secure the ends of justice, promote peace and harmony between the parties and prevent abuse of the process of law.

9. In view of the report of the Judicial Magistrate First Class, Dera Bassi and the principles laid down by the Apex Court in '*Narinder Singh and others v. State of Punjab and another*', the instant petition is allowed. FIR No.110 dated 16.04.2023 registered under Sections 353, 186 of the Indian Penal Code, 1860, at Police Station Zirakpur, District SAS Nagar, along with all subsequent proceedings arising therefrom is hereby quashed in view of the compromise deed dated 13.10.2023 (Annexure A-1).

10. Petition is ***allowed*** in above terms.

05.05.2026

Sumit Gusain

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No