

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

255

CRM-M-66781-2025 (O&M)

Date of decision: 06.02.2026

Ranji Bala and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Gourav Verma, Advocate and
Mr. Deepak, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. Ajay Gupta, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition filed by the petitioner(s) is for seeking quashing of FIR bearing No.259 dated 01.11.2025, under Section(s) 115(2), 333, 190 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023'), registered at Police Station Sadar, Ludhiana, District Police Commissionerate (Ludhiana) along with all the subsequent proceedings arising therefrom on the basis of compromise dated 13.11.2025 (Annexure P-2).

2. The FIR in the present case came to be registered on the statement made by Bharat Bhushan. The dispute arises out of discord between the families of two brothers. It is stated in the FIR that on the intervening night of 31.10.2025/01.11.2025, the complainant and his family members were beaten up and criminally intimidated with threats to their

lives by certain persons accompanying his brother, Vinod, who is stated to be a drug addict.

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 28.11.2025 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, Ludhiana vide Memo No. 939 dated 12.12.2025. The relevant extract of the report is reproduced as under:-

“ 1. As per the statement of the Investigating Officer namely ASI Davinder Singh, and as per his record, there are five accused namely Vinod Bansal, Sourav Bansal, Raghav Bansal, Rajni Bala and Jatin Kumar in this FIR and no other FIR was registered against them. The accused are not declared proclaimed offender in this case. No accused are absconding. There is only one victim/complainant namely Bharat Bhushan in this FIR. There is no other affected person who is left out or not arrayed as a party in this quashing petition.

2 As per the statement of the Investigating Officer, accused are not declared proclaimed offender in this case.

3 From the statement of parties, it appears that the compromise is genuine, voluntarily made out of the free

will of the parties and without any coercion or undue influence.

4. *As per the statement of Investigating Officer, accused are not involving in any other FIR.*

5. *The challan in this case has not been presented yet and investigation is pending.”*

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. 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 genesis of the occurrence lies in discord between the families of two real brothers. The dispute is essentially private and domestic in character, without any element affecting public order or societal interest at large.*
- ii) *The parties have resolved their differences amicably and have expressed their intention to restore familial harmony. The complainant is no longer desirous of pursuing the criminal proceedings.*
- iii) *The allegations indicate that the occurrence arose in the heat of the moment during a domestic confrontation and does not reflect premeditated criminal intent.*

- iv) *The alleged acts pertain to assault and intimidation within a family context and do not disclose offences of a heinous or serious nature affecting society at large.*
- v) *In view of the compromise and restoration of relations, the likelihood of the prosecution culminating in conviction appears remote. Continuation of trial would thus amount to an exercise in futility and unnecessary harassment.*
- vi) *Petitioner No. 1 is aged 46 years, Petitioner No. 2 is aged 53 years, Petitioner No. 3 is aged 18 years (a young adult at the threshold of his career and future prospects), Petitioner No. 4 is aged 27 years, Petitioner No. 5 is aged 35 years. The continuation of criminal proceedings may have disproportionate adverse consequences on their personal, professional and social lives, particularly when the dispute has been amicably resolved.*
- vii) *The FIR in question pertains to the year 2025 and the proceedings are at an early stage.*
- 8) *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;*
- 9) *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.*

10. In view of the report of the Judicial Magistrate 1st Class, Ludhiana 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 bearing No.259 dated 01.11.2025, under Section(s) 115(2), 333, 190 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter to be referred as 'BNS 2023'), registered at Police Station Sadar, Ludhiana, District Police Commissionerate (Ludhiana) along with all the subsequent proceedings arising, are hereby quashed qua the petitioner(s) therefrom on the basis of compromise dated 13.11.2025 (Annexure P-2).

11. Petition is *allowed*.

(VINOD S. BHARDWAJ)
JUDGE

06.02.2026

Mangal Singh

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