



CRM-M-70282-2025 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****143-II****CRM-M-70282-2025 (O&M)****Date of decision : 30.04.2026**

Harsimran Singh @Kaka & Anr.

..... Petitioners

VERSUS

State of Punjab & Anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Sanjeev Kumar Sharma, Advocate for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. R.P. Kataria, Advocate the respondent No.2.

SURYA PARTAP SINGH, J. (Oral)

The present petition has been filed under Section 528 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023', for quashing of rapat No.44 dated 15.08.2022, under Sections 307, 323, 324, 506, 427, 148, 149 of Indian Penal Code in FIR No.120 dated 15.08.2022, under Section 307 of IPC, and Section 27 of Arms Act, Police Station Dugri, District Ludhiana, along with all other consequential proceedings arising therefrom. The quashing of rapat has been sought on the ground of compromise.

2. Heard the learned counsel for the parties. The case file has also been perused carefully.

3. This Court vide order dated 17.03.2026 had directed the parties to appear before the learned trial Court, for the recording of their statements.

The learned trial Court, too, was directed to submit a report.



4. Pursuant to aforesaid order, a report from the Court of learned Judicial Magistrate First Class Ludhiana, dated 22.04.2026 has been received in a connected case CRM-M-70929-2025. A perusal of abovesaid report reveals that statements of the concerned persons have been recorded, who have stated that the matter has been amicably settled between them, and that they have no objection if the rapat in question is quashed. As per report, the compromise effected between the parties is genuine, without any undue influence and coercion.

5. As far as the offence allegedly committed by the petitioner(s) is concerned, a perusal of the record shows that the offence punishable under Sections 324, 427, 148, 149 and 307 of IPC, for which the petitioners have been prosecuted, are non-compoundable. If the facts and circumstances pertaining to present case are analyzed in the backdrop of relevant legal principles, it transpires:-

- i) that the occurrence involved in the present case is purely personal and private in nature;
- ii) that there is no criminal history of the petitioner(s);
- iii) that it does not involve heinous and serious offence of mental depravity;
- iv) that the action of petitioner(s) does not have a serious impact on the society; and
- v) that the cause of administration of criminal justice system would remain unaffected on acceptance of the amicable settlement between the parties.
- vi) that the accused and the private respondent(s) have amicably settled the matter between them in terms of the



compromise deed and the statements recorded before the concerned Court;

- vii) that a perusal of the documents reveal that the settlement has not been secured through coercion, threats, social boycotts, bribes, or other dubious means,
- viii) that the victim has willingly consented to the nullification of criminal proceedings;
- ix) that there is no objection from the private respondents in case present FIR and consequent proceedings are quashed;
- x) that in the given facts, the occurrence does not affect public peace or tranquility, moral turpitude or harm the social and moral fabric of the society or involve matters concerning public policy;
- xi) that the rejection of compromise may lead to ill will and the pendency of trial affects career and happiness;
- xii) that there is nothing on the record to prima facie consider the accused as an unscrupulous, incorrigible, and professional offender;
- xiii) that the exercise of the inherent power for quashing the conviction, sentence and all previous proceedings are justified to secure the ends of justice.

6. With regard to quashing on the basis of compromise the Full Bench of this Court in Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052, held that the High Court has jurisdiction, by virtue of Section 482 Cr.P.C., to allow the compounding of non-compoundable offence(s) and quash the proceedings, where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.



7. The Hon'ble Supreme Court of India in the case of Gian Singh vs. State of Punjab and another, 2012(4) RCR (Criminal) 543, observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. As per Hon'ble Supreme Court, the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code of Criminal Procedure. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court.

8. The Hon'ble Supreme Court of India in the case of 'Ishwar Singh V/s State of Madhya Pradesh' Special Leave Petition (Crl.) No.48 of 2008, observed that 'it cannot be gainsaid that an offence punishable under Section 307 IPC is not a compoundable offence. Section 320 of the Code of Criminal Procedure, 1973 expressly states that no offence shall be compounded if it is not compoundable under the Code. At the same time, however, while dealing with such matters, this Court may take into account a relevant and important consideration about compromise between the parties'.

9. The Hon'ble Supreme Court of India in the abovementioned case has further observed that 'it would not be appropriate to order



compounding of an offence not compoundable under the Code and ignoring and keeping aside statutory provisions and the factum of compromise between the parties is indeed a relevant circumstance which, the Court may keep in mind’.

10. In view of afore-referred judgments and after perusing the report of the learned trial Court regarding amicable settlement between the petitioners and respondent No.2, this Court finds that quashing of FIR will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

11. Resultantly, the present petition is hereby ***allowed*** and the rapat No.44 dated 15.08.2022, under Sections 307, 323, 324, 506, 427, 148, 149 of IPC in FIR No.120 dated 15.08.2022, under Section 307 of IPC, and Section 27 of Arms Act, Police Station Dugri, District Ludhiana, along with all other consequential proceedings arising therefrom, are quashed, on the basis of compromise.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(SURYA PARTAP SINGH)
JUDGE

30.04.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No