



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

(289)

CRM-M-72217-2025

Date of Decision: 27.01.2026

ROHIT KUMAR BANSAL AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Amrinder Kaur, Advocate
for the petitioners.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Ms. K.T. Rau, Advocate for
Dr. Rau PS Girwar, Advocate
for respondent No.2 (through V.C.).

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing of FIR No. 163 dated 19.12.2024, under Sections 384, 376, 341, 506 and 120-B IPC (lateron added Section 201 IPC) registered at Police Station Kotwali, District Bathinda (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of the compromise dated 24.11.2025 (Annexure P-2).

2. Learned counsel for the petitioner submits that the marriage of respondent No.2 was solemnized with petitioner No.1 on 07.11.2023. The present FIR arose due to matrimonial/familial disputes between the parties, which have now been amicably resolved. It is submitted that a bare perusal of the compromise reveals that private respondent has admitted that the



FIR is quashed. Accordingly, the continuation of the trial in the above-mentioned FIR would serve no useful purpose. Reliance in this regard has been made to the compromise deed (Annexure P-2). In support of his submissions, learned counsel relies upon the judgment passed by this Court in ***Kulwinder Singh Versus State of Punjab 2007(3) Law Herald (P&H) (FB) 2225.***

3. Learned counsel for respondent No. 2 does not controvert the submissions made by the learned counsel for the petitioners. She submits that the matter has been compromised between the parties, and now, respondent No.2/complainant has no grievance against petitioners, therefore, she does not wish for any action to be taken against him.

4. *Per contra*, the learned State counsel opposes the present petition, and submits that in view of the serious allegations levelled against the petitioners, the instant petition deserves to be dismissed.

5. Heard the contentions advanced by the learned counsel for the parties and perused record with their able assistance.

6. Vide order dated 22.12.2025, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the factum of their marriage.

7. Pursuant to the aforesaid order, report dated 07.01.2026 has been received from the Additional District & Sessions Judge, Bathinda. A perusal of the said report reveals that statements of the concerned persons have been recorded in the present case, who have stated that the matter has been settled between them and they have no objection in case the FIR in question is quashed. The compromise effected between them is genuine, without any undue influence and coercion.



whereby, parameters governing the exercise of jurisdiction of Section 482 of the Code of Criminal Procedure are well settled. In a celebrated judgment cited as *State of Haryana Vs. Bhajan Lal, 1992 SUPP (1) SCC 335*, the Hon'ble Supreme Court has discussed different categories of cases wherein, the power under Section 482 Cr.P.C. could be exercised either to prevent abuse of process of law or otherwise to secure the ends of justice, while observing that it might not be possible to lay down any precise, clearly defined, sufficiently channelized, inflexible guidelines or rigid formulae and to give an exhaustive list or myriad kind of cases where such powers should be exercised. The following principles have been culled out:-

- 102 (1) Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused;*
- (2) Where the allegations in the First Information Report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code;*
- (3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused;*
- (4) Where the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155 (2) of the Code;*
- (5) Where the allegations made in the FIR or complaint are so*



absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused;

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party;

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”

9. Reference can also be made to ***Narinder Singh and Ors. Vs. State of Punjab and another, (2014) 6 SCC 466***, wherein the Hon'ble Supreme Court had observed that while exercising power under Section 482 of Cr.P.C., the High Court has to examine as to whether the possibility of conviction of accused is remote and bleak and continuation of criminal case would put him into great oppression and prejudice and injustice would be caused to him by not quashing criminal case.

10. The Hon'ble Supreme Court of India in the case of ***Gian Singh vs. State of Punjab and another, 2012(4) RCR (Criminal) 543***, had 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.

11. The Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, held that the High



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.

12. Trite to say that the inherent powers of this Court under Section 482 of Cr.P.C. can be exercised to secure the ends of justice, a fluid and ever evolving concept. Though, justice must be administered keeping in mind the broad objectives of legislature, a restrictive construction of inherent powers under Section 482 of Cr.P.C. may prevent the Courts from doing substantial justice, which is the end goal of every legal system. Needless to say that this power must ought to be exercised after careful circumspection, particularly in the context of quashing proceedings, bearing in mind, the nature and effect of the offence on the consciousness of the society; the seriousness of the injury, if any; voluntary nature of compromise between the accused and the victim; conduct of the parties and other relevant considerations.

13. In view of the afore-referred judgments and after perusing the report of the trial Court regarding amicable settlement between the petitioners and the complainant, this Court finds that quashing the FIR will accord a quietus to all disputes between the parties. 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.

14. Resultantly, the present petition is allowed and FIR No. 163 dated 19.12.2024, under Sections 384, 376, 341, 506 and 120-B IPC (lateron added Section 201 IPC) registered at Police Station Kotwali, District Bathinda (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of the compromise dated 24.11.2025 (Annexure P-2),



Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of one month.

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

(KIRTI SINGH)
JUDGE

January 27, 2026
Ritika

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