



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

339

CRM-M-73719-2025

MANOJ KUMAR AND ANOTHER

....PETITIONERS

V/s

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

Date of decision: 10.03.2026

Date of Uploading: 10.03.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ritesh Tomar, Advocate for the petitioners.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. R. S. Randhawa, Advocate for respondent No.2.

SUMEET GOEL, J.

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.172 dated 08.09.2025 under Section 318(4) of BNS, registered at Police Station Dhauj, District Faridabad and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 19.12.2025 (Annexure P-2), which is stated to have been effected between the parties.

2. On 08.01.2026, the following order was passed:

“Present petition has been filed praying for quashing of FIR No.172, dated 08.09.2025, under Sections 318(4) of BNS, 2023, registered at Police Station Dhauj, District Faridabad along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 19.12.2025 and affidavit of complainant dated 19.12.2025.

Further prayer has been made for staying the further proceedings pending before the investigating agency or before



the learned trial Court during the pendency of the present petition.

Learned counsel appearing on behalf of the petitioners has contended that the parties have compromised the matter and as such the present FIR is liable to be quashed.

Notice of motion.

On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana appears and accepts notice on behalf of respondent No.1-State. At this stage, Mr. Rahuldeep Singh Randhawa, Advocate has appeared and filed his vakalatnama on behalf of respondent No.2 today in the Court, which is taken in record. He has endorsed the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 04.02.2026.

In the meanwhile, both the parties are directed to appear before the concerned trial Court/Illaq Magistrate on 20.01.2026 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The trial Court/Illaq Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.

The State to file status report before the next date of hearing.”

3. Pursuant to the aforesaid order, report dated 28.01.2026 from Judicial Magistrate Ist Class, Faridabad has been received, which is taken on record. As per the report, the Trial Court has recorded as follows:-

(1) As per the order of the Hon'ble High Court dated 08.01.2026 in the case titled "Manoj & Anr. Vs. State of Haryana & Anr." passed in CRM-M-73719-2025, this Court was directed to record the statements of the parties i.e. the complainant and the accused. On 20.01.2026, the complainant namely Rahul as well as accused persons namely Manoj & Nafees have appeared before the Court. In compliance of the Order dated 08.01.2026 passed by the Hon'ble High Court in letter and spirit and in the interest of justice, the statements of the parties have been recorded in regard to their compromise.
(II) The complainant Rahul and the accused Manoj & Nafees have clearly stated that they have entered into the compromise voluntarily and without any pressure, coercion or undue



influence in any manner. They also stated that they have settled their disputes with each other. The parties were duly identified by their counsels i.e. Sh. Vipin Verma & Sh. Anmol Kaushik, who have also filed their respective power of attorneys. (III) As per the statement of concerned IO ASI Mohd. Juber No. 2631/FBD, the present case FIR No. FIR no.172 dated 08.09.2025 under Section 318(4) of BNS, P.S. Dhauj, Faridabad, has been registered at the instance of one complainant namely Rahul against accused persons i.e. Manoj and Nafees. After completion of investigation, challan (final report) qua them was presented before the Court on 02.12.2025. He also reported that initially the FIR was registered against two accused persons and final report was given against both of them and apart from them no other person is found involved in this case. He also reported that said accused persons have never been declared as proclaimed offender/persons in this case or any other case. Further, there is no other complainant/ injured/aggrieved in this case besides the complainant Rahul. Further, said accused persons are also not found involved in any other criminal case as per ICJS records.

(IV) After going through the contents of the statements of complainant and accused persons, this Court is of the considered view that the compromise between the parties has been reached voluntarily and the same is genuine and without any coercion or undue influence. The parties have also made their respective statements voluntarily with regard to their compromise, which has been reached without any threat, inducement, pressure, coercion or undue influence in any manner.”

4. Learned counsel for respondent No.2 admits the fact of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioners are 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.172 dated 08.09.2025 under Section 318(4) of BNS, registered at Police Station Dhauj, District



Faridabad and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 19.12.2025 (Annexure P-2), are, hereby, quashed.

10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

10.03.2026
jatin

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