



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

253-1

CRM-M-73336-2025 (O&M)

Date of decision: 07.04.2026

Bharat Sharma and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

253-2

CRM-M-73339-2025 (O&M)

Date of decision: 07.04.2026

Harjit Kaur and another

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Robin Dutt, Advocate for the petitioner(s)
in CRM-M-73336-2025 and
for respondent No.2 in CRM-M-73339-2025.

Mr. Kartar Singh, Advocate for the petitioner(s)
in CRM-M-73339-2025 and
for respondent No.2 in CRM-M-73336-2025.

Dr. (Ms.) Savi Nagpal, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

Both these petitions filed for quashing of FIR bearing No.202 dated 15.11.2020 registered under Sections 323, 341, 436, 506, 34 of the Indian Penal Code, 1860 and cross case bearing DDR No.22 dated 02.02.2021 registered under Sections 323, 341, 506, 34 of the Indian Penal Code, 1860, both at Police Station Jamalpur, District Ludhiana, along with

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

all subsequent proceedings arising therefrom on the basis of compromise deed dated 16.12.2025 (Annexure P-2), are being decided by this common judgment.

2. The FIR in the present case has been registered on the complaint of Harjit Kaur wife of Baljinder Singh, resident of Ramandeep Colony, Mundia Kala, Ludhiana, relevant part of which reads as under:-

“xxxxxxxxx I have been living in the above mentioned house along with my family on rent for about 1 and 1/2 years. On 14-11-2020 at around 9-00 PM, my husband and nephew Daljit Singh were bursting crackers in the street due to Diwali, when Bharat Sharma, his brother Sanju Sharma and his mother Harpreet Kaur, who lived in our neighborhood, came to us in the street and started abusing us loudly. When I objected, Bharat Sharma, who had a wooden flag in his hand, hit me on my forehead and nose and I fell in the street and Bharat Sharma's brother Sanju Sharma, who had a baseball bat in his hand, hit my husband Baljinder Singh on the right knee and his mother Harpreet Kaur threw bricks at us. Due to which our car, registration number PB-43-c-0066, was also damaged and we tried to escape from the spot but they surrounded us and beat us again. These three beat me and my family a lot. We shouted for help, but they all fled from the spot with baseball bats and sticks, threatening to kill us. My family took me to the Civil Hospital. When we reached the Civil Hospital, Simran Kaur, who lives in my neighborhood, called me and said that your house has caught fire. On which, after getting stitches on her forehead from the Civil Hospital, I came back and saw that the house was on fire and all the belongings were burnt on the road. This fire was also started by Bharat Sharma and his brother Sanju Sharma and his mother Harpreet Kaur. Due to

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

the fire, about Rs. 2 lakh cash, gold tops, 02 gold bangles, a gold bracelet and two rings were found in the suitcase in our house, about 06 tolas in weight, one washing machine, two cupboards, one bed, one fan, two suit cases in which new clothes were also burnt due to which my house suffered a loss of about 06 lakh rupees. Appropriate legal action should be taken against Bharat Sharma, his brother Sanju and his mother Harpreet Kaur.”

3. A cross case bearing DDR No.22 dated 02.02.2021 to the abovesaid FIR was registered on the complaint of Sajan Sharma son of Kamal Sharma, resident of H. No. 01, Street No.01, Ramandeep Colony, Mandia Kalan, near Esher Petrol Pump, 33 Foot Road, Police Station Jamalpur, Ludhiana, the relevant part of which reads as under:-

”....I live with my family at the above address and do a private job. My father died about 7 years ago. Our neighbor is Arun Kumar Property. The dealer has a property house area of 150 square yards, regarding which we had a dispute with Arun Kumar. On 14-11-2020, a woman named Harjit Kaur, who was living on rent in Arun Kumar's house, along with her husband Baljinder Singh and other companions were bursting firecrackers that made loud noises and emitted smoke in the street outside our house at around 10 pm. These people continued to burst firecrackers even after around 10 pm, while the government had banned bursting firecrackers until late at night. My mother Harpreet Kaur, who is ill, explained to Harjit Kaur that you have burst enough firecrackers, now the time has come to stop it. But instead of stopping these firecrackers, Baljinder Singh and Harjit Kaur and unknown relatives who came to their house started abusing my mother Harpreet Kaur, Baljinder Singh brought a belcha from his car and tried to hit

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

my mother then I ran and Baljinder Singh surrounded me and hit the belcha on my head. Hearing my and my mother's cries, my elder brother Bharat Sharma also came. Baljinder Singh and his relatives and unknown persons who came to their house also beat up my brother and my mother Harpreet Kaur was also beaten up by Harjit Kaur and Baljinder Singh and injured us. In this fight, my brother Bharat Sharma's gold chain weighing 10 grams also fell somewhere. We cried out that we had been killed. Seeing the gathering of people, Baljinder Singh along with his wife Harjit Kaur and unknown relatives threatened to kill us and fled from the spot. Our known Gurcharan Singh put us in a car and first went to the police post Mundia. However, due to the heavy blood, we were taken to the Civil Hospital, Ludhiana for treatment, where after treatment, we were sent back. Due to my headache, I was getting my treatment at the Arora Nero Centre and Baljinder Singh etc. had registered a case number 202 dated 15-11-2020 against my family under crimes 323, 341, 436, 506, 34 IPC, Jamalpur police station. I was getting my bail and head treatment in the said case, due to which I could not record my statement with you till now due to my health not being good. Legal action should be taken against Baljinder Singh and his wife Harjit Kaur and the unknown relatives who came to their house.”

4. However, with the intervention of the respectables, the parties have decided to compromise the matter. Hence, the present petition.
5. The parties were thus directed to appear before the learned trial Court/Illaq Magistrate vide order dated 24.12.2025 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.

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

6. Pursuant to the said order, a report has been received from the Additional Sessions Judge, Ludhiana, vide Memo Nos.143-144 dated 16.03.2026. The relevant extract of the report is reproduced as under: -

"In FIR:

- 1) In present FIR three persons namely Bharat Sharma son of Kamal Sharma: Sajan Sharma alias Sanju son of Kamal Sharma and Harpreet Kaur wife of Kamal Sharma all residents of House No.6, Street no.1, Ramandeep Colony, Bhamia Road, Mundian Kalan, Ludhiana and at present residing at H.No.40, Abadi Jot Enclave, near Chhabra Colony, Manakwal, Ludhiana are arrayed as accused.*
- (II) There are two Victims. FIR has been lodged by Harjeet Kaur w/o Baljinder Singh. One Victim is Complainant Harjit Kaur and other is her husband Baljinder Singh. Both are resident of Ramandeep Colony, Mundian Kalan, District Ludhiana.*
- (III) Compromise Annexure-F dated 16.12.2025 had been executed only between Complainant Victim Harjit Kaur and all the three accused namely Bharat Sharma, Sajan Sharma alias Sanju and Harpreet Kaur. Second Victim namely Baljinder Singh is not signatory to said compromise. But Victim Baljinder Singh has come present before this court and got recorded his statement*

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

that he had entered into compromise with accused persons and he has no objection if present FIR and subsequent proceedings are quashed.

(IV) Parties have placed on record Memo of Parties as Annexure-J. There are two Victims namely Complainant Harjit Kaur and her husband Baljinder Singh. There are three persons arrayed as accused in said FIR. All the three accused namely Bharat Sharma, Sajjan Sharma alias Sanju and Harpreet Kaur are Petitioners before Hon'ble High Court FIR is lodged by Harpreet Kaur. She has been impleaded as respondent no.2 in Petition before Hon'ble High Court. Second victim Baljinder Singh is not impleaded as party in Petition before Hon'ble High Court. But as narrated above Baljinder Singh has come present before this court and recorded his statement that he has no objection to quash the impugned FIR.

(V) Complainant Harjit Kaur and other Victim Baljinder Singh and all three accused and Investigating Officer have stated that no person stands declared as proclaimed offender and no proceedings to declare any accused as PO are either initiated or pending for adjudication.

(VI) In view of the statements suffered by Complainant and injured/victim as well as accused persons it is apparent that compromise between the parties is genuine entered

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

voluntarily out of free will as they have categorically deposed that they had entered into said compromise without any pressure voluntarily and out of their free will to ensure that peace prevails between them in coming future and Complainant party is left with no grudge against accused party.

(VII) No other aspect relevant to the present case has been brought to the notice of this court.

In DDR:

- (1) As per statement of IO and parties two persons namely Harjit Kaur wife of Baljinder Singh and Baljinder Singh son of Amar Chand both residents of Ramandeep Colony, Mundian Kalan, Ludhiana are arrayed as accused in present DDR.*
- (II) There are three Victims as three persons suffered injuries. One is Complainant Sajan Sharma alias Sanju. Other Victims are Bharat Sharma and Harpreet Kaur. All of them are residents of House No.6, Street no.1, Ramandeep Colony, Bhamia Road, Mundian Kalan, Ludhiana and presently residing at H.No.40, Abadi Jot Enclave, near Chhabra Colony, Manakwal, Ludhiana.*
- (III) Compromise Annexure-F dated 16.12.2025 had been executed only between Complainant Sajan Sharma alias Sanju and both the accused namely Harjit Kaur and*

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

Baljinder Singh. Injured Bharat Sharma and Harpreet Kaur are not signatory to said compromise. But Victims Bharat Sharma and Harpreet Kaur have come present before this court and got recorded their statements that they had entered into compromise with accused persons and they have no objection if present DDR and subsequent proceedings are quashed.

(IV) Parties have placed on record Memo of Parties as Annexure-G. Two accused in said DDR namely Harjeet Kaur and Baljidner Singh are Petitioner no.1 and 2 before High Court. Complainant Sajan Sharma is impleaded as respondent no.2 before Hon'ble High Court. Injured/Victims namely Bharat Sharma and Harpreet Kaur are not impleaded as party in Petition pending before Hon'ble High Court. But as narrated above Bharat Sharma and Harpreet Kaur have come present before this court and recorded their statements that they have no objection in case impugned DDR is quashed.

(V) Investigating Officer and Complainant Party stated that no person has been declared as proclaimed offender. No proceeding to declare any accused as PO has been initiated nor said proceeding is pending or adjudicated.

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

(VI) In view of the statements suffered by Complainant, both the Victims as well as accused persons it is apparent that compromise between the parties is genuine entered voluntarily out of free will without any coercion or undue influence as they have deposed that they had entered into said compromise without any pressure voluntarily and out of their free will to ensure that peace prevails between them in coming future and Complainant party being left with no grudge against accused party.

(VII) No other aspect relevant to the present case has been brought to the notice of this court.”

7. Separate replies by way of affidavit dated 30.03.2026/06.04.2026 in both the cases have been filed by the learned State counsel in the Court today and the same are taken on record.

8. 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.

9. Learned counsel appearing for the respective parties in both the cases, submit that the earlier change in stance was the result of a misunderstanding, which has since been fully resolved. They reiterate the settlement arrived at between the parties and expressly conveys their no objection to the quashing of the FIR and all other consequential proceedings arising therefrom.

10. The broad principles for exercising the powers under Section

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

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*

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

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.”

11. 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:-

- a. The dispute between the petitioners and the respondents had its genesis in a trivial and spontaneous incident and was a result of a sudden flare-up of tempers over a minor issue, rather than any premeditated or malicious intent.
- b. The petitioners in both the cases are less than 40 years of age, except petitioner No.3-Harpreet Singh in CRM-M-73336-2025. Continuation of criminal proceedings would adversely affect their future prospects, professional growth, and their ability to discharge social and familial responsibilities.
- c. The petitioners and the respondent-complainant belong to the same village and the dispute is essentially personal and private in nature. An amicable settlement between the parties would promote peace, harmony and cordial relations within the community and prevent further

253-1
253-2

CRM-M-73336-2025 (O&M)
CRM-M-73339-2025 (O&M)

escalation of animosity.

- d. Prolonged pendency of criminal proceedings would subject the parties to avoidable mental stress, social stigma and financial burden, which would be wholly disproportionate to the nature of the incident.
- e. The settlement between the parties would promote restorative justice, which is increasingly recognised as a valuable facet of criminal jurisprudence, particularly in disputes of a private character.
- f. The offence alleged does not fall within the category of heinous or grave offences, nor can it be said to have any serious impact on society at large. It is neither an offence that shocks the collective conscience of society nor one that shocks the conscience of the Court.
- g. In view of the compromise arrived at between the parties, the possibility of conviction is remote and the continuation of the criminal proceedings would serve no fruitful purpose, but would instead result in unnecessary harassment to the parties and wastage of valuable judicial time.

12. In view of the report of the Additional Sessions Judge, Ludhiana and the principles laid down by the Apex Court in '*Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641', the instant petitions are allowed.

253-1CRM-M-73336-2025 (O&M)

253-2CRM-M-73339-2025 (O&M)

FIR bearing No.202 dated 15.11.2020 registered under Sections 323, 341, 436, 506, 34 of the Indian Penal Code, 1860 and cross case bearing DDR bearing No.22 dated 02.02.2021 registered under Sections 323, 341, 506, 34 of the Indian Penal Code, 1860, both at Police Station Jamalpur, District Ludhiana, along with all subsequent proceedings arising therefrom, are hereby quashed on the basis of compromise deed dated 16.12.2025 (Annexure P-2).

13. Petitions are **allowed** in above terms.

07.04.2026

Sumit Gosain

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(VINOD S. BHARDWAJ)
JUDGE