

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

270

2026:PHHC:055593



CRM-M-73593-2025 (O&M).  
Date of decision: 09.04.2026.

SAHIL

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Mr. B.S. Beniwal, Advocate,  
for the petitioner(s).

Mr. Onkar Singh Wahla, Sr. DAG, Haryana.

Ms. Nidhi, Advocate,  
for respondent No.2.

**VINOD S. BHARDWAJ, J. (Oral)**

Prayer in the present petition under Section 528 of the Bharatiya  
Nagarik Suraksha Sanhita, 2023 is for quashing of FIR bearing No.848 dated  
27.09.2022 under Section(s) 323, 341, 506 and 34 of the Indian Penal Code,  
1860, and Section 3 of the Scheduled Castes and the Scheduled Tribes  
(Prevention Of Atrocities) Act, 1989, registered at Police Station Azad Nagar,  
Hisar, District Hisar, along with all subsequent proceedings arising therefrom

on the basis of compromise dated 20.12.2025 (Annexure P-2).

2           The aforesaid FIR was registered on the statement of Piyush, son of Rajesh Kumar, aged about 18 years, resident of House No. 5159, Saket Colony, Azad Nagar, Hisar. As per the prosecution version, the complainant stated that he was employed at a grocery shop and that on 25.09.2022, at about 5:30 P.M., while he was returning to his house, he was intercepted near the water disposal by three boys. The said persons were identified as Lucky, son of Pawan Soni, resident of Azad Nagar; Sahil, resident of Sector-13, Hisar and one unknown individual. It is alleged that the said persons obstructed the complainant's passage and, upon being questioned, started abusing him and made derogatory remarks with reference to his caste. Thereafter, accused Lucky inflicted an injury on the complainant's ear with a knife, while co-accused Sahil struck him on the side of his head with a brick and the third person restrained him. The complainant further stated that, upon hearing the commotion, local residents gathered at the spot and intervened, whereafter the accused persons fled from the scene while extending threats to kill him in future. It is further alleged that the complainant thereafter contacted one Ishwar, who arranged for his transportation to the Government Hospital, Hisar, where he was admitted for treatment. Due to his medical condition and being under the influence of medication, the complainant could not immediately give his statement to the police. Subsequently, upon recovery, he made the present statement at the police station in the presence of his mother. On the basis of the aforesaid statement, the present FIR came to be registered against the accused persons.

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 08.01.2026 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, a report has been received from Additional Sessions Judge, Hisar, vide Memo No.99 dated 30.01.2026. The relevant extract of the report is reproduced as under: -

*“After going through the statements of both the parties as well as IO, the report is as under:-*

*1. As per the statements of complainant, he stated that he has voluntarily compromised the matter with the accused namely Sahil, without any coercion, undue influence and pressure. He further stated that he has no objection, if the FIR is quashed against the accused namely Sahil. In the similar manner, the accused namely Sahil has made his statement to the effect that the matter has been compromised by the complainant with him voluntarily, without any coercion, undue influence and pressure. From the statements of complainant and accused, it appears that the matter between them has been compromised voluntarily, without any pressure of any kind, from any corner and the compromise effected between them, is genuine.*

*Hence, it seems that the statements of parties are bona fide and are not the result of any threat, duress or coercion in any manner and the compromise effected between the parties is genuine, voluntary, out of their free will, without any coercion or undue influence and is valid.*

*2. In the abovesaid FIR, SI Ramesh Kumar No.154/Jind, P.S. Azad Nagar, the Investigating Officer of this case, has appeared and suffered a statement before this Court. As per his statement,*

*the present case bearing FIR No.848 dated 27.09.2022, under sections 323, 341, 506, 34 IPC was lodged against accused Sahil by the complainant Piyush, who is the only complainant of this case. He also stated that accused Sahil is not declared proclaimed offender in any case and except accused Sahil, no other accused is arrayed in the present case at this stage.”*

6            Learned counsel for respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed. Costs stand paid.

7            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.

8            The broad principles for exercising the powers under Section 482, Cr.P.C (now Section 528 BNSS) 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 BNSS:-

(i) The dispute between the parties has been amicably resolved, and a voluntary compromise has been effected, restoring peace and harmony between them.

(ii) The petitioner is a young individual of about 24 years of age and continuation of criminal proceedings would have a serious

adverse impact on his future prospects, employment opportunities and social standing.

(iii)The occurrence in question appears to have arisen out of a sudden altercation and does not reflect any deep-rooted criminal intent or continuing threat to society.

(iv)The FIR pertains to the year 2022 and the proceedings have not progressed substantially, indicating that the trial is likely to take considerable time to conclude.

(v)The offences alleged, though not to be condoned, cannot be categorised as heinous or of such a nature that they shock the conscience of society or warrant continuation of prosecution despite settlement.

(vi)There is nothing on record to suggest that the petitioner is habitual offenders or that his conduct poses any continuing threat to public order or societal interest.

(vii)In view of the compromise, the complainant is unlikely to support the case of the prosecution, thereby rendering the possibility of conviction remote.

(viii)Continuation of the criminal proceedings in such circumstances would not serve any larger public interest and would result in unnecessary harassment to the parties.

(ix)The ends of justice would be better served by putting an end to the proceedings rather than allowing them to continue as an exercise in futility, leading to wastage of precious judicial time.

10 In view of the report of the Additional Sessions Judge, Hisar, 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.848 dated 27.09.2022 under Section(s) 323, 341, 506 and 34 of the Indian Penal Code, 1860, and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention Of Atrocities) Act, 1989, registered at Police Station Azad Nagar, Hisar, District Hisar, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of compromise dated 20.12.2025 (Annexure P-2) entered between the parties.

11 Petition is allowed in above terms.

April 09, 2026.

raj arora

(VINOD S. BHARDWAJ)

JUDGE

*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No