



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

280

CRM-M-444-2026 (O&M)
Date of decision: 22.04.2026

Rohit @ Tiddi and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Sahil Soi, Advocate for the petitioner(s).

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

Mr. Varun Mittal, Advocate for

Mr. S.K. Bansal, Advocate for respondents No.2 and 3.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of FIR bearing No.94 dated 15.10.2023 registered under Sections 452, 323, 324, 506, 148, 149 of the Indian Penal Code, 1860 (Sections 326 and 201 of the IPC added later on) at Police Station Lohian, District Jalandhar Rural along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 05.12.2025 (Annexure P-2).

2. Briefly summarized, the present FIR was registered on the statement of Jarnail son of Lachhman, resident near Jalandhar Public School, Ward No. 02, Lohian Khas, Police Station Lohian, District Jalandhar Rural. The complainant stated that he lives at the above address with his family. He makes huts, prepares herbal medicines and sells them by roaming in villages.

On 06-10-2023 at about 6:30 PM, he and his wife, Poonam, were preparing food in the hut, and his younger brother Tilak Raj was sitting in the nearby hut with his wife Shamila. In the meantime Rohit @ Tiddi son of Shingara, Karan son of Major (both of them armed with datar and residents of Ward No. 2 Lohian Khas), Sunny son of Late Achhi armed with datar, Major son of Sona armed with iron rod, Gola son of Chunnu armed with stick, Kaka son of Jeet Lal (residents of Ward No. 1 Lohian Khas), along with 2-3 unknown persons came towards his hut while abusing and raising loud noises. The complainant asked them what the matter was, but they did not listen to him. Rohit @ Tiddi attacked him with a sharp-edged datar on his head, which struck the middle of his head. Major son of Sona attacked him with an iron rod on his mouth, which struck his upper lip, causing a cut, and one of his upper front teeth broke. Karan son of Major, struck him with a datar on his head, causing heavy bleeding. Kaka son of Jeet Lal, hit his hand with a stick. When the complainant raised cries of save-save, his brother Tilak Raj came out from his hut to rescue him, whereupon the petitioners started beating him. Karan son of Major, struck his brother Tilak Raj on his head with a datar and Sunny son of Late Achhi, again struck his brother Tilak Raj on his head with a datar, due to which he fell on the ground and bled profusely. The complainant raised an alarm of save-save. On hearing the noise, the people of their neighbourhood came out, and all the assailants fled from the spot with their weapons. The complainant and his brother were both badly injured. Their family members arranged conveyance and took them to Civil Hospital Lohian, where doctors gave first aid and referred them to Civil Hospital Jalandhar through a government ambulance. Due to

serious injuries, the complainant was referred to Shriram Neuro Centre Jalandhar, and after one or two days, his brother Tilak Raj was also admitted there. They both were under treatment. The reason behind the occurrence is that the petitioners used to pass indecent remarks against the women in the complainant’s family. The present FIR was thus got registered against the petitioners.

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 12.01.2026 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 the Judicial Magistrate 1st Class, Nakodar vide Memo No. 78-CIII dated 10.02.2026. The relevant extract of the report is reproduced as under:-

S. No.	Information sought for	Report
i.	Total number of persons found involved as accused in the dispute/FIR;	6 persons namely Rohit @ Tiddi, Karan, Gola, Sunny, Major and Kaka@ Sunny are involved as accused in FIR.
ii.	Number of complainant/victim(s);	There is one complainant namely Jarnail and one victim namely Tilak @ Tilka in the FIR.
iii.	Whether all the accused and complainant / victims are party to compromise & signed the same;	All the accused and complainant/victims are the parties of the compromise and they have signed the same.
iv.	In case, any affected person (accused or complainant) is left	No affected person (accused or complainant) is left out or not

	<i>out or not arrayed as party in the quashing petition before High Court, detail whereof;</i> <i>OR</i> <i>His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person;</i>	<i>arrayed as a party in the quashing petition before Hon’ble High Court .</i>
v.	<i>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication;</i>	<i>Neither any accused has been declared Proclaimed Offender/person in the present case nor any such proceedings has been initiated or pending.</i>
vi	<i>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence;</i>	<i>As per the statement suffered by the parties and compromise placed on record, the compromise is genuine, voluntary and without any coercion or undue influence.</i>
vii.	<i>Any other aspect relevant to the present case.</i>	<i>No other aspect is relevant to the case.</i>

6. Short reply by way of affidavit dated 15.04.2026 on behalf of respondent(s)-State has been filed by the learned State counsel today in the Court and the same is taken on record.

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. Learned counsel appearing on behalf of respondents No. 2 and 3 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed, as affirmed during the statement

before the trial Court.

9. 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 ***Ramgopal and another v. State of M.P.***, reported as ***(2022) 14 SCC 531***. The relevant paragraphs are extracted as under: -

“19. We thus sum up and hold that as opposed to Section 320 CrPC where the Court is squarely guided by the compromise between the parties in respect of offences “compoundable” within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482 CrPC or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section 320 CrPC. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind:

19.1. Nature and effect of the offence on the conscience of the society;

19.2. Seriousness of the injury, if any;

19.3 Voluntary nature of compromise between the accused and the victim; and

19.4 Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.

10. The Hon'ble Supreme Court has held in ***Ramgopal (supra)***, that the matters which can be categorized as personal in nature or in the matter in which the nature of injuries do not exhibit mental depravity or commission of an offence of such a serious nature that quashing of which would override

public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.

11. It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

12. 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023:-

- i) *The dispute in the present case arose out of previous enmity on account of the petitioners abusing the womenfolk of the complainants' family, and now the same has been settled between the parties.*
- ii) *Petitioners are of 23, 21, 39, 18, 47 and 28 years of age respectively, and continued criminal incarceration will cause severe repercussions to the petitioners in the discharge of their social obligations as well as in their workplace.*
- iii) *The offence in question cannot be said to be heinous or as an offence that would shock the conscience of society or the public at large. It can also not be termed as one shocking to the conscience of the Court;*
- iv) *Continuation of the proceedings with the complainant unlikely to support the case of the prosecution, would*

serve no larger public purpose and only result in futile expenditure of judicial time.

13. In view of the report of the Judicial Magistrate 1st Class, Nakodar and the principles laid down by the Apex Court in ***Ramgopal and another v. State of M.P.***, reported as ***(2022) 14 SCC 531***, the instant petition is allowed. FIR bearing No.94 dated 15.10.2023 registered under Sections 452, 323, 324, 506, 148, 149 of the Indian Penal Code, 1860 (Sections 326 and 201 of the IPC added later on) at Police Station Lohian, District Jalandhar Rural, along with all subsequent proceedings arising therefrom, is hereby quashed on the basis of the compromise deed dated 05.12.2025 (Annexure P-2).

14. Petition is ***allowed***.

(VINOD S. BHARDWAJ)
JUDGE

22.04.2026

Mangal Singh

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