



CRM-M-481-2026 (O&M)

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

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CRM-M-481-2026 (O&M).
Date of decision: 27.04.2026.

Ekta Tiwari and another**...Petitioner(s)****VERSUS****State of Haryana and another****...Respondent(s)****CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Ms. Heena Singh, Advocate
for the petitioners **(Through VC)**.

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

Mr. Ranjeet Singh, 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.233 dated
22.04.2025 under Section(s) 406, 420 and 120-B IPC, registered at Police
Station Gharaunda, District Karnal along with all subsequent proceedings
arising therefrom on the basis of compromise dated 12.11.2025 (Annexure
P-2).

2 Briefly summarized, aforesaid FIR was registered on the basis
of written complaint moved by Vikram Rohilla son of Suraj Bhan Rohilla
alleging therein that Ekta Tiwari (petitioner No.1) met the complainant while
working as Regional Manager in HDFC Bank in March, 2024. Ekta Tiwari
introduced the complainant to her husband (petitioner No.2). Petitioner No.2
spoke to the complainant on 02.06.2024 and assured him that he and his



family would be sent to Canada and that their PR would be done. The complainant was to deposit Rs.35 lakhs. On 15.06.2024, the complainant gave the first installment of Rs.6 lakhs via cheque No. 000127 of ICICI Bank to petitioner No.1. He then transferred Rs.22 lakh via RTGS to petitioner No.1. However, the petitioners kept on procrastinating and the PR process did not make any headway. The complainant asked the petitioners to return his money and petitioner No.1 couriered two cheques of Rs.4 lakh each. When the complainant tried to encash the cheques, one of the cheques was dishonoured on presentation. Thus, the present FIR was 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, report has been received from the Sub-Divisional Judicial Magistrate, Gharaunda, District Karnal, vide Memo No.204 dated 30.03.2026. The relevant extract of the report is reproduced as under:-

“In compliance of order dated 12.01.2026 of Hon’ble High Court, the following point wise information is hereby furnished as under:-

(i) In the FIR, two accused have been involved i.e. Ekta Tiwari D/o Ramesh Kumar Tiwari and Ranjeet Chauhan son of Kundal Lal.

(ii) There is one complainant/victim i.e. Vikram Rohilla.



(iii) *All the accused persons and the complainant are party to the compromise. However, the accused (Ranjeet Chauhan) made his statement pertaining to the compromise through video conferencing as he is abroad therefore, his signature is not appended on the compromise (Ex.C1).*

(iv) *No affected person (accused or complainant) has been left out or not arrayed as party in the quashing petition before the Hon'ble High Court.*

(v) *As per the statement of the I.O., accused persons have not been declared as proclaimed offender in this or any other FIR, nor any such proceedings pending against them.*

(vi) *After evaluating the statements of the parties, this Court finds the compromise to be genuine, voluntary, and without any coercion or undue influence.*

6 Learned counsel for the petitioners submits that in pursuance of order dated 12.01.2026, costs of Rs.25,000/- each have been deposited by the petitioners. Learned counsel for respondent No.2 reiterates the settlement and his concurrence to the FIR and all the other consequential proceedings being quashed.

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 noncompoundable.

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 relates to money transaction, which has already been settled on account of the petitioners paying a sum of Rs.8 lakh to the complainant.*
- (ii) *The petitioners are in their forties and fifties, respectively;*
- (iii) *The offence in question cannot be said to be heinous or as an offence that would be shocking to the conscience of the society or public at large. It can also not be termed as one shocking to the conscience of the Court, rather the offence seems to be personal in nature.*

10 In view of the report of the Sub-Divisional Judicial Magistrate, Gharaunda, District Karnal 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.233 dated 22.04.2025 under Section(s) 406, 420 and 120-B IPC, registered at Police Station Gharaunda, District Karnal, along with all subsequent proceedings arising therefrom is hereby quashed on the basis of compromise dated 12.11.2025 (Annexure P-2) entered between the parties.

11 Petition is allowed in above terms.

27.04.2026
SN

(VINOD S. BHARDWAJ)
JUDGE

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