

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

262

2026:PHHC:066154



CRM-M-443-2026 (O&M).
Date of decision: 29.04.2026.

ANSHPREET SINGH @ ANSH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

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

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

Mr. Rohit, Advocate,
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for seeking quashing of FIR bearing No.67 dated 27.03.2025 under Section(s) 115(2), 109, 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Gharinda, District Amritsar, along with

all subsequent proceedings arising therefrom on the basis of compromise dated 20.11.2025 (Annexure P-2).

2 The aforesaid FIR was registered on the statement of Surjit Singh son of Achhar, resident of Village Jathol, Police Station Gharinda. The translated version of the same reads as under: -

"I am resident of aforementioned address and I do Mason work. On dated 26.03.2025 at about 7:30 PM I was standing in the street with my younger brother Gursewak Singh son of Achhar Singh. At that time, boys from nearby village Ladhowal namely Harpreet Singh @ Harry son of Sukhdev Singh, Ansh, Pali D.J residents of Ladhowal and Love son of Harjeet Singh resident of Rasoolpur Kallar and unknown boys along with them and 7/8 unknown persons came on 3/4 motorcycles and went to general store situated in our village. They all were under the influence of Alcohol. Then my younger brother asked them not to come here as sisters and daughters lives here, but in the rage they started abusing me and my younger brother and started fighting with us. Then my elder brother Lakhbir Singh tried to make them understand and they all went side from our house and they all conspired together and started picking bricks and breaking them and started throwing on us due to which my brother Gursewak Singh got many injuries and was seriously injured and then Harpreet @ Harry took out pistol from his waist and with the intention of kill me he did 03 fires on me, one fire hits on my Right Shoulder and second one hits on the shin of my right leg. We all started made hue and cry "Maar Ditta Maar Ditta" then they all persons fled from the spot on their respective vehicles and their weapons. My Family Members arranged vehicle for me and my brother Gursewak Singh and got admitted in Sunrise Multispecialty Hospital Amritsar where me and my brother are under treatment. Regarding injuries I will present my MLR and

my Brother's MLR. Kindly take legal action against the aforementioned accused.

3 A perusal of the aforesaid FIR shows that three gunfire shots had been fired by the petitioners of which two injured the victim, thus, attracting Section 109 of the Bharatiya Nyaya Sanhita, 2023 (Section 307 of the Indian Penal Code, 1860). The manner in which the offence has taken place reflects high headedness on the part of the petitioners. The irresponsible social conduct of firstly misbehaving and misconducting in civil society and then displaying muscle and fire-power or being told to restrain and behave, is not just a bodily injury to one person. It is reflective of lawlessness as a behaviour and the belief that they have a right to do, is an offence against society. The same would thus not be permitted to be quashed on the basis of compromise. The act of the petitioners is categorized as a heinous offence and evidence for supporting conviction may be available independently as well. The act of the petitioners in firing multiple shots is an offence in the nature that would shock the conscience of society and warrant continuation of prosecution despite settlement. The conduct of petitioners cannot be said to be as per the norms of a civilized society and it poses a threat to public order.

4. The Supreme Court in the matter of **Rajendra Harakchand Bhandari and others v. State of Maharashtra and Another**, reported as **(2011) 13 SCC 311** has specifically laid down that offences which can be termed as heinous and against the conscience of society are not to be quashed mechanically on the basis of compromise arrived at between the parties.

5. The Supreme Court in the matter of **State of Madhya Pradesh v Kalyan Singh** reported as **2019(1) RCR(Criminal) 705** observed that FIR

under Section 307 of the IPC cannot be quashed even when there is a settlement between the complainant and the accused as it is a non compoundable offence. The relevant extract of the same is reproduced thereunder: -

“5. It is required to be noted that the original accused was facing the criminal proceedings under Sections 307, 294 read with Section 34 IPC. It is not in dispute that as per Section 320 CrPC offences under Sections 307, 294 read with Section 34 IPC are non-compoundable. It is also required to be noted that the allegations in the complaint for the offences under Sections 307, 294 read with Section 34 IPC are, as such, very serious. It is alleged that the accused fired twice on the complainant by a countrymade pistol. From the material on record, it appears that one of the accused persons was reported to be a hardcore criminal having criminal antecedents. Be that as it may, the fact remains that the accused was facing the criminal proceedings for the offences under Sections 307, 294 read with Section 34 IPC and that the offences under these sections are non-compoundable offences and, looking to the serious allegations against the accused, we are of the opinion that the High Court has committed a grave error in quashing the criminal proceedings for the offences under Sections 307, 294 read with Section 34 IPC solely on the ground that the original complainant and the accused have settled the dispute.

6. At this stage, the decision of this Court in Gulab Das v. State of M.P. [Gulab Das v. State of M.P., (2011) 10 SCC 765 : (2012) 1 SCC (Cri) 421] is required to be referred to. In the said decision, this Court has specifically observed and held that, despite any settlement between the complainant on the one hand and the accused on the other, the criminal proceedings for the offences under Section 307 IPC cannot be quashed, as the offence

under Section 307 is a non-compoundable offence. Under the circumstance, the impugned judgment and order passed by the High Court quashing the criminal proceedings against the original accused for the offences under Sections 307, 294 read with Section 34 IPC cannot be sustained and the same deserves to be quashed and set aside.”

6 In view of the above discussion, the present petition is accordingly dismissed.

April 29, 2026.

raj arora

(VINOD S. BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No