



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

120+213

1. **CRM-M-6110-2025 (O&M)**
(Compromise Quashing Petition)
Decided on : 04.04.2025
Swinder Singh Chadha and others . . . Petitioner(s)
Versus
State of Punjab and another . . . Respondent(s)
2. **CRM-M-13723-2025 (RB)**
Gurpal Singh alias Gursewak Singh alias Jurri . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)
3. **CRM-M-13791-2025 (RB)**
Sunny alias Sunny Kumar . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)
4. **CRM-M-46294-2024 (RB)**
Swinder Singh Chadha . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)
5. **CRM-M-46690-2024 (RB)**
Rohit Sharma alias Rohit alias Bhollu . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)
6. **CRM-M-50248-2024 (RB)**
Maheer Gauri alias Mani . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)
7. **CRM-M-50471-2024 (RB)**



Khushal Khanna @ Khushi . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

8. CRM-M-14498-2025 (RB)

Hardeep Singh alias Deep Boksar alias Hardeep Channa . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Preetinder S. Ahluwalia, Advocate,
Mr. Karnesh Verma, Advocate (through V.C.) and
Mr. Nikhil K. Vashisth, Advocate
for the petitioner(s).

Mr. Jastej Singh, DAG, Punjab.

Mr. ADS Sukhija, Advocate
for respondent No.2/complainant (in CRM-M-6110-2025).

SANJAY VASHISTH, J. (Oral)

CRM-13908-2025 IN CRM-M-6110-2025

I. Present Criminal Misc. Application has been filed u/s 528 of BNSS, 2023, for placing on record the affidavits of the applicants-petitioners, as well as copies of receipts showing the payment of Rs.10,000/- by each of the applicant-petitioner, in compliance to the order passed by this Court.

II. Notice of the application to the non-applicant/respondent-State.

III. Learned State counsel, Punjab, who is present in Court, accepts notice on behalf of the non-applicant/respondent-State.

IV. After noticing the order dated 13.02.2025 and the contents of the application, prayer made therein is allowed. Accordingly, affidavits of



all the applicants-petitioners along with copies of Aadhar Cards as well as receipts of depositing of Rs.10,000/- by each of the applicant-petitioner, filed along with application as Annexures A-1 & A-2, respectively, are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

V. Criminal Misc. Application stands disposed of.

Main Case(s)

1. This order shall dispose of CRM-M-13723-2025, CRM-M-13791-2025, CRM-M-6110-2025, CRM-M-46294-2024, CRM-M-46690-2024, CRM-M-50248-2024, CRM-M-50471-2024 and CRM-M-14498-2025, as all the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-6110-2025.

2. CRM-M-6110-2025 has been filed under Section 528 of the BNSS, 2023, seeking quashing of the below detailed First Information Report (FIR), final report and all the consequential proceedings arising therefrom, on the basis of the compromise dated 17.01.2025 (Annexure P-5), effected between the parties.

DETAIL OF CRIMINAL CASE:

FIR No.	Date	Section(s)	Police Station	District
17.	12.07.2024	109, 115(2), 126(2), 190, 191(3), 351(2) of BNS, 2023 (Sections 49, 61(2), 117(2) & 189(6) of BNS, 2023, added later on)	Tripuri	Patiala

Whereas, other petitions, i.e., CRM-M-13723-2025, CRM-M-13791-2025, CRM-M-6110-2025, CRM-M-46294-2024, CRM-M-46690-2024, CRM-M-50248-2024, CRM-M-50471-2024 and CRM-M-14498-2025, have been filed by the accused/petitioners for seeking concession of



regular bail.

3. In compliance to the observations made by this Court, petitioners have placed on record their respective affidavits, and for the sake of brevity, contents of one of the affidavit are reproduced here-under:-

“ Affidavit of Swinder Singh Chadha aged about 62 years, son of S. Piara Singh, resident of House no.39-A, DLF Colony, Patiala.

Aadhar No: 6118 0413 6220.

I, the above-named deponent, do hereby solemnly affirm and state as under:-

- 1. That the deponent undertakes to not interfere or cause any disturbance to the free enjoyment of the property owned by complainant/respondent no.2 Jaswinder Pal Singh Kalra son of S. Joginder Singh, and further would not harm him.*
- 2. That in case the said undertaking is violated, it shall be open to the prosecution or the complainant/respondent no.2 to revive the proceedings arising out of the present Impugned FIR.*
- 3. That the deponent further undertakes that in case he violates the above-mentioned undertaking, he will also be liable to be prosecuted for Contempt.”*

4. In compliance to the order dated 13.02.2025, passed by this Court (in CRM-M-6110-2025), report of Ld. Additional Sessions Judge, Fast Track Special Court, Patiala, dated 17.03.2025 (forwarded to this Court vide letter dated 21.03.2025), has been received. The relevant extracted part of the report is also reproduced here-under:-

“On the basis of above referred statements of the complainant/injured as well as the statement of the accused persons, the report as directed by the Hon’ble High Court is as under:-

- 1. Nine persons have been involved as accused in the dispute/FIR.*
- 2. There is one complainant, namely; Jaswinder Pal Singh.*
- 3. The accused persons and the complainant are party to the compromise and the compromise they have signed the compromise.*
- 4. None of the accused or complainant is left out or not arrayed as party in the quashing petition before the Hon’ble High Court.*
- 5. None of the accused has been declared as a proclaimed offender/persons or any such proceedings against them have been initiated or pending adjudication.*
- 6. As per the statement of the complainant and accused persons the compromise is genuine, voluntary and without any coercion or undue influence.”*

5. Learned counsel for the petitioner(s) submits that in view of the



report received from the learned Court Below, it is evident that the matter has been resolved and private parties have effected a compromise, and there remains no dispute amongst them requiring any adjudication. Further submits that in view of the compromise so effected between the private parties, pendency of the FIR and consequential proceedings emanating therefrom would be sheer abuse of the process of law, and the same may be quashed.

6. Learned State counsel as also learned counsel for private respondent(s), after going through the statements and the report received from learned Court below, very fairly admit that the private parties have resolved their dispute and effected a compromise and that they have no objection, if the FIR (supra) and all the consequential proceedings are quashed on the basis of the compromise.

7. Through catena of judgments, Hon'ble the Apex Court and High Courts (including Punjab and Haryana High Court), have culled out various principles of law concerning quashing of proceedings emanating after lodging of FIR, and some of them are as under:-

- *Power under Section 482 Cr.P.C./Section 528 BNSS can be exercised to enhance social amity, and to reduce friction.*
- *Disputes which have their genesis in a matrimonial discord, landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the Court by exercising its powers under Section 482 Cr.P.C./Section 528 BNSS in the event of a compromise, but this is not to say that the power is limited to such cases.*
- *There can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 Cr.P.C./Section 528 BNSS "to prevent abuse of the process of any Court" or "to secure the ends of justice".*
- *No embargo, be in the shape of Section 320(9) Cr.P.C./Section 359 BNSS, or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C./Section 528 of the BNSS.*



- *The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour.*
- *High Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 Cr.P.C./Section 359 BNSS, in order to prevent the abuse of law and to secure the ends of justice.*
- *Power under Section 482 Cr.P.C./Section 528 BNSS is to be exercised Ex-Debita Justitia to prevent an abuse of process of Court.*
- *Such power has no limits. However, the High Court will exercise it sparingly and with utmost care and caution.*
- *The exercise of power has to be with circumspection and restraint.*
- *The Court is a vital and an extra-ordinary effective instrument to maintain and control social order.*
- *The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society.*
- *Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.*
- *Matters which can be categorized as personal in nature or where nature of injuries do not exhibit mental depravity or involves commission of an offence of such a serious nature that quashing of FIR would override the public interest, the Court can quash the FIR in view of the settlement arrived at amongst the parties.*

In this regard, judgments cited are:

1. Gian Singh v. State of Punjab and another, (2012) 10 SCC 303 (SC);
 2. Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641 (SC);
 3. Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834 (SC); and
 4. Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 [P&H FB]
8. After hearing learned counsel for the parties and going through the material available on record, this Court finds that there appears to be substance in the submission of learned counsel for the petitioners that pendency of the present criminal litigation would be abuse of process of law since the chances of conviction of the petitioners are bleak in view of the



compromise, so effected between the private parties.

9. The report alongwith statements of the affected parties received from learned Court below would reveal that the complainant/victim person(s) have genuinely effected a compromise with the petitioners and they have no objection, if the impugned FIR and consequential proceedings are quashed.

10. Keeping in view the totality of the facts and circumstances of the case, including the report received by this Court and also, taking into consideration the aforementioned settled principles of law, this petition is accepted and **FIR No.173, dated 12.07.2024, registered under Sections 109, 115(2), 126(2), 190, 191(3), 351(2) of BNS, 2023 (Sections 49, 61(2), 117(2) & 189(6) of BNS, 2023, added later on), at Police Station Tripuri, Distt. Patiala**, and all the consequential proceedings arising therefrom are hereby quashed *qua* the petitioners, in view of compromise dated 17.01.2025 (P-5).

11. Petition stands **disposed of** accordingly.

It is, however, clarified that in case at any time in the future, apart from the affidavits and the observations earlier made by this Court, if the petitioners or any other persons at their instance causes harm or create interference with the life and liberty of respondent No.2 (the complainant herein), the proceedings in the present FIR shall be revived at the instance of either, i.e., State or the complainant.

12. Since the FIR in question, which is the main source from which all other cases have borne out, has been quashed on the basis of compromise dated 17.01.2025, no cause of action now survives for the parties in the



remaining petitions seeking regular bail(s).

13. Accordingly, **same are also disposed of, having been rendered infructuous.**

Photocopy of this order be placed on the file of other connected cases.

**(SANJAY VASHISTH)
JUDGE**

April 04, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No