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

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Date of decision: 10.07.2025

1. CRM-M-12761-2025

PRITPAL SINGH AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

2. CRM-M-13093-2025

BHAGWANT SINGH AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Deepak Gupta, Advocate
for the petitioner(s) (in CRM-M-12761-2025)
for respondents No.2 to 5 (in CRM-M-13093-2025).

Ms, Meena, Advocate
for the petitioner(s) (in CRM-M-13093-2025)
for respondents No.2 & 3 (in CRM-M-12761-2025).

Mr. Jasdeep Singh, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)



1. This order shall dispose of CRM-M-12761-2025 and CRM-M-13093-2025, as the same have emanated out of the same occurrence and prayer made therein is for quashing of criminal proceedings on the basis of compromise, entered into between the affected parties.

2. It is a case of version and cross-version. Petitioners in CRM-M-12761-2025 are seeking quashing of DDR No.22, dated 05.06.2021 under Sections 323, 325, 148 and 149 of IPC, 1860 in FIR No.36, dated 04.06.2021, under Sections 323, 324, 148 and 149 of IPC (Annexure P-1), registered at Police Station Kacha Pacca, District Tarn Taran, and all subsequent proceedings arising therefrom, whereas petitioners in CRM-M-13093-2025 are seeking quashing of FIR No.36, dated 04.06.2021, under Sections 323, 324, 148 and 149 of IPC (offence under Section 326 of IPC added later on), registered at Police Station Kacha Pacca, District Tarn Taran, and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-3), arrived at between the parties.

3. When both the petitions came up for consideration before this Court, vide order(s) dated 11.03.2025, passed in respective petitions, the affected parties were directed to appear before the learned trial Court/Illaq Magistrate, for getting their respective statements recorded with regard to the compromise. The trial Court/Illaq Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the aforementioned order, the parties appeared before the Court of learned Tarn Taran, and as per report dated 25.04.2025, submitted to this Court, both the parties have got recorded their respective statements in Court



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alongwith statements of affected parties. Operative part of the said reports is as under:-

“Report in CRM-M-13093-2025

Sr. No.	Description	
1.	Total number of persons found involved as accused in the dispute/FIR	Total 11 persons accused and 8/10 unidentified persons
2.	Number of complainant/victim(s)	Total 4 persons victims including one complainant
3.	Whether all the accused and complainant / victims are party to compromise & signed the same	Yes, all the accused and complainant/victims are party to compromise and signed the same except one accused namely Jaskaran Singh s/o Dalwinder Singh who had died
4.	In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR	No, not any affected person is left
	His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person	No person is left for recording statement.
5.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication	No. Not any accused persons has been declared as proclaimed offender/person and not any such proceedings against him/her have been initiated or pending adjudication
6.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence	Yes, this Court is satisfied that compromise is genuine, voluntary, and without any coercion or undue influence.
7.	Any other aspect relevant to the present case.	No.

Report in CRM-M-12761-2025



Sr. No.	Description	
1.	Total number of persons found involved as accused in the dispute/DDR	Total 9 persons accused
2.	Number of complainant/victim(s)	Total 2 persons victims including one complainant
3.	Whether all the accused and complainant / victims are party to compromise & signed the same	Yes, all the accused and complainant/victims are party to compromise and signed the same
4.	In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR	No, not any affected person is left
	His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person	No person is left for recording statement.
5.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication	No. Not any accused persons has been declared as proclaimed offender/person and not any such proceedings against him/her have been initiated or pending adjudication
6.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence	The statement of complainant/victim(s), accused recorded by the then Illaqa Magistrate on dated 27.03.2025 in the DDR No.26 but the statement of IO recorded by this Court in DDR No.26 as the Police Station Kacha Pucca transferred to the undersigned vide order of the District and Sessions Judge Tarn Taran order endorsement No.1349/EB dated 11.04.2025. From the record this Court is satisfied that compromise is genuine, voluntary, and without any coercion or undue influence.
7.	Any other aspect relevant to the present case.	Yes. In above said DDR one accused twicely mentioned in DDR as on serial No.(3) Rajbir Singh s/o Kabal Singh and on serial No.(5) Rajwinder Singh s/o Kabla Singh is same person.



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5. Learned counsel for the private parties state that incident in the present case occurred on the spur of moment, over a trivial issue, and on the basis of version and cross version criminal proceedings were initiated against both the sides, who are neighbours and residents of same village. Due to intervention of the respectable and elderly people of the society, the matter has been resolved and private parties have effected a compromise. At present, there remains no dispute amongst the private parties. Learned counsel further submits that in view of the compromise so effected between the private parties, pendency of the FIR No.36, dated 04.06.2021, and cross case bearing DDR No.22, dated 05.06.2021, and consequential proceedings emanating therefrom would be sheer abuse of the process of law.

6. Learned counsel for the State after going through the statements and the report received from learned Court below, very fairly admits that the private parties have resolved their dispute and effected a compromise. He further submits that he has no objection if criminal proceedings are quashed on the basis of the compromise.

7. I have heard learned counsel for the parties and perused the record with their able assistance.

8. The Full Bench of this Court in the matter of **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, has observed as under:-

“(28) To conclude, it can safely be said that there can never be any hard and fast category which can be prescribed to enable the Court to exercise its power under Section 482 of the Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the Section itself, i.e., "to prevent abuse of the process of any Court"



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or "to secure the ends of justice".

(29) In **Mrs. Shakuntala Sawhney v. Mrs. Kaushalya Sawhney and others**, Hon'ble Krishna Iyer, J. aptly summoned up the essence of compromise in the following words:

"The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship of reunion."

(30) *The power to do complete justice is the very essence of every judicial justice dispensation system. It cannot be diluted by distorted perceptions and is not a slave to anything, except to the caution and circumspection, the standards of which the Court sets before it, in exercise of such plenary and unfettered power inherently vested in it while donning the cloak of compassion to achieve the ends of justice.*

(31) *No embargo, be in the shape of Section 320(9) of the Cr.P.C., or any other such curtailment, can whittle down the power under Section 482 of the Cr.P.C.*

(32) *The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Cr.P.C. is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is "finest hour of justice". 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 of the Cr.P.C. 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 such rigid rule to prescribe the exercise of such power, especially in the absence of any premonitions to forecast and predict eventualities which the cause of justice may throw up during the course of a litigation.*

(33) *The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.*

(34) *The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debita Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. 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.”

9. The said legal principles were also approved by Hon'ble the Supreme Court in the matter of **Gian Singh v. State of Punjab and another, (2012) 10 SCC 303**. Furthermore, broad principles for exercising the powers under Section 482 were summarized by Hon'ble the Supreme Court in the matter of **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, (2017) 9 SCC 641**.

10. Hon'ble the Supreme Court has held in **Ramgopal and another v. State of Madhya Pradesh, 2021 SCC Online SC 834**, that matters which can be categorized as personal in nature or where nature of injuries do not exhibit mental depravity or 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. The observation of Hon'ble the Supreme Court is extracted as under:-

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



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criminal proceedings, bearing in mind: (i) Nature and effect of the offence on the conscious of the society; (ii) Seriousness of the injury, if any; (iii) Voluntary nature of compromise between the accused and the victim; & (iv) Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.”

11. 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 that pendency of the present criminal litigation would be abuse of process of law since chances of conviction of accused persons are bleak in view of the compromise so effected between the private parties.

12. The report alongwith statements of the affected parties received from learned Court below would reveal that the aggrieved persons have genuinely effected a compromise and they have no objection if the impugned criminal proceedings are quashed.

13. Keeping in view totality of the facts and circumstances of the case and taking into consideration the ratio of the judgments in the cases of Gian Singh (supra), Ramgopal (supra) and Kulwinder Singh (supra), these petitions are allowed. Consequently, FIR No.36, dated 04.06.2021, under Sections 323, 324, 148 and 149 of IPC (offence under Section 326 of IPC added later on), registered at Police Station Kacha Pacca, District Tarn Taran, and all subsequent proceedings arising therefrom in CRM-M-13093-2025 and DDR No.22, dated 05.06.2021 under Sections 323, 325, 148 and 149 of IPC, 1860 in FIR No.36, dated 04.06.2021, under Sections 323, 324, 148 and 149 of IPC (Annexure P-1), registered at Police Station Kacha Pacca, District Tarn Taran, and all subsequent proceedings arising therefrom in CRM-M-12761-2025 are hereby quashed *qua* the



petitioners, in view of the compromise (Annexure P-3).

12. Both the petitions stand disposed of.
13. A photocopy of this order be placed on the file of the connected case.

(SANJAY VASHISTH)
JUDGE

10.07.2025
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No