



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

125+310

**CRM-M-17887-2025 (O&M)
Date of decision: 04.08.2025**

TANISHQ YADAV MINOR THROUGH HIS NATURAL GUARDIAN AND FATHER

...Petitioner

Versus

STATE OF HARYANA AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Parmod Parmar, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Ashish Yadav, Advocate for respondents No.2 to 4.

SANJAY VASHISTH. J.(Oral)

CRM-29612-2025

1. Present petition under Section 528 of BNSS, 2023, has been filed for impleading Jyoti Sharma, wife of Ashwin Sharma and Rina Rani Sharma, wife of Manoj Kumar Sharma as respondents No.3 and 4.
2. Notice in the application.
3. Mr. Pawan Kumar Jhanda, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent – State and pleads no objection to the prayer made in the application.
4. In view of the contents mentioned in the application, the same is allowed, and Jyoti Sharma, wife of Ashwin Sharma and Rina Rani Sharma, wife of Manoj Kumar Sharma are impleaded as respondents No.3 and 4 in array of parties.



5. Application stands disposed of.

CRM-M-17887-2025

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Present Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 10.03.2025 (Annexure P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station	District
221	16.08.2024	67 of the Information Technology (Amendment) Act, 2008	Cyber West Gurugram	Gurugram

2. In pursuance to the directions issued by this Court on 02.04.2025, statement of Dharmender Yadav, petitioner's father and his son, aged about 16 years were recorded on 10.07.2025 before the Principal Magistrate, Juvenile Justice Board, Gurugram, whereas, statements of Jyoti Sharma (respondent No.3) and Rina Rani Sharma (Respondent No.4) were recorded on 04.07.2025. Thereupon report dated 14.07.2025 has also been forwarded by Principal Magistrate, Juvenile Justice Board, Gurugram, wherein it is reported that upon preliminary inquiry it is found that the matter has been amicably settled and resolved without any coercion or pressure in any manner. Relevant part of the said report reads as under:-

“2. Victims namely Ms. Jyoti Sharma & Ms. Reena Sharma appeared before the undersigned on 04.07.2025 and child-in-conflict with law namely Txxxxxx Yxxxx along with his father appeared before



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the undersigned on 10.07.2025 for recording of their respective statements qua the compromise arrived at between them.

3. Upon preliminary inquiry, the parties stated that the matter had been amicably settled between them voluntarily and without any coercion or undue influence of any kind. Thereupon, their statements qua the compromise were recorded separately. The same are being attached herewith.

4. It is further submitted that I am satisfied that the parties have entered into a compromise, which appears to be valid, voluntary and genuine.”

4. Learned counsel for the petitioner(s) submits that in view of the report received from the Principal Magistrate, Juvenile Justice Board, Gurugram, 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.

5. 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.

6. 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 everlasting 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]**
7. 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.
8. 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 petitioner and they have no objection, if the impugned FIR and consequential proceedings are quashed.
9. 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 (as detailed in para No. 1 above) and all the consequential proceedings arising therefrom** are hereby quashed *qua* the petitioners, in view of compromise dated 10.03.2025 (Annexure P-2).
10. Petition stands disposed of.

04.08.2025
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(SANJAY VASHISTH)
JUDGE

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