



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

306

Date of decision: 30.04.2025

1. CRM-M-41006-2024

JASWANT SINGH AND ANR

....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

2. CRM-M-53396-2022

PARAMJIT KAUR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present : Mr. Amanpreet Singh, Advocate  
for the petitioner in CRM-M-41006-2024.

Mr. Himmat Singh Sidhu, Advocate  
for the petitioner in CRM-M-53396-2022.

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Manish Verma, Advocate  
for respondent No.6 in CRM-M-53396-2022.

**SANJAY VASHISTH. J.(Oral)**

1. This order shall dispose of two petitions i.e. CRM-M-41006-2024 and CRM-M-53396-2022, as the same have emanated out of the same occurrence.

2. CRM-M-41006-2024 titled as Jaswant Singh and Anr. Vs. State of Punjab and Another is for quashing of FIR No.209 dated 25.08.2022, under Sections 302, 115 and 201 of IPC, registered at Police Station Sidhwan Bet



- 2-

Ludhiana Rural (Annexure P-1), vide compromise dated 07.03.2024 (Annexure P-2) and all subsequent proceedings arising therefrom.

3. CRM-M-53396-2022 titled as Paramjit Kaur Vs. State of Punjab and Others is for quashing of FIR No.209 dated 25.08.2022, under Sections 302, 115 and 201 of IPC, registered at Police Station Sidhwan Bet Ludhiana Rural (Annexure P-5).

4. On 24.03.2025, following order was passed:-

*1. Present petition(s) have been filed under Section 482 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 07.03.2024 (Annexure P-2), effected between the parties.*

**DETAIL OF CRIMINAL CASE:**

FIR No.	Date	Section(s)	Police Station
209	25.08.2022	302, 115, 201 IPC	Sidhwan Bet Ludhiana Rural

*Further, details of petitioner(s)/accused and complainant/victim(s), as per memorandum of parties of present petition, is as under:-*

In CRM-M-41006-2024		
Sr. No.	Name(s)	Status in present petition viz. Petitioner/accused OR Complainant/victim respondent No.
1	Jaswant singh	Petitioner No.1
2	Paramjit Kaur	Petitioner No.2
3	Sukhwinder Singh	Respondent No.2

In CRM-M-53396-2022		
Sr. No.	Name(s)	Status in present petition viz. Petitioner/accused OR Complainant/victim respondent No.
1	Paramjit Kaur	Petitioner No.1



2	Sukhwinder Singh	Respondent No.2
---	------------------	-----------------

2. *Mr. Manish Verma, Advocate, puts in appearance on behalf of respondent No.6 (in CRM-M-53396-2022) and has filed his Power of Attorney in Court, which is taken on record.*

3. *At the very outset, it is pointed out that investigating agency has wrongly mentioned Section 3 offence as Section 302 IPC in the present case rather in actual, no such murder of anybody took place.*

4. *Learned DAG Punjab also endorses the said statement of the petitioners and in support of this, he refers to paragraph No.4 of the status report dated 18.01.2025 (in CRM-M-41006-2022) wherein it is recorded as under:-*

*“4. That upon conducting a thorough examination of the case file pertaining to FIR No. 209 dated 25.08.2022, registered under Sections 302, 115, and 201 of the IPC at Police Station Sidhwan Bet, Police District Ludhiana, the deponent has, based on the facts that have emerged from the records pertaining to the present case, concluded that no offence under Section 302 IPC is made out in the present case as no murder was committed even as per the allegations made by the complainant and nor was any dead body recovered during the investigation. Further the deponent has noted that the invocation of Section 302 IPC appears to have been due to a prima facie a negligent approach in the preliminary inquiry and subsequent investigation conducted in the present case”*

5. *The petitioners’ counsel broadly submits that as per the status report the occasion of quashing of offence under Section 302 IPC in the FIR does not arise, thus quashing is sought for the remaining offences mentioned in the FIR. Counsel further submits that all the parties to the dispute, already arrayed as parties in the present petition, have amicably resolved their dispute through compromise dated 07.03.2024 (Annexure P-2). Therefore, if proceedings arising*



- 4-

*from the aforementioned FIR, and all the consequential proceedings arising therefrom, are quashed, all the parties and their family members will be able to live their lives peacefully.*

*6. The affected parties are directed to appear before the learned Trial Court/Illaq Magistrate, on 09.04.2025 or on any other date convenient to the Court, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-*

<b>Sr. No.</b>	<b>Information required</b>
<b>I.</b>	<b>Total number of persons found involved as accused in the dispute/FIR</b>
<b>II.</b>	<b>Number of complainant/victim(s)</b>
<b>III.</b>	<b>Whether all the accused and complainant / victims are party to compromise &amp; signed the same</b>
<b>IV.</b>	<b>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</b>
	<b>His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person</b>
<b>V.</b>	<b>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication</b>
<b>VI.</b>	<b>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence</b>
<b>VII.</b>	<b>Any other aspect relevant to the present case.</b>

*7. To come up on 30.04.2025, awaiting report.*

*8. Reply by the respondent-State, if any, be filed on or before the next date of hearing.*

*Photocopy of this order be placed on the file of connected case. “*

3. Pursuant to the aforementioned order, the parties appeared before the Court of learned Additional Sessions Judge, Ludhaina and as per report dated



- 5-

23.04.2025, submitted to this Court, both the parties have got recorded their respective statements in Court. From the report received from the learned Court below, the following is discernible:-

Sr. No.	Description	
1.	<b>Total number of persons found involved as accused in the dispute/FIR</b>	Two
2.	<b>Number of complainant/victim(s)</b>	One
3.	<b>Whether all the accused and complainant / victims are party to compromise &amp; signed the same</b>	Yes
4.	<b>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</b>	No
	<b>His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person</b>	No
5.	<b>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication</b>	No
6.	<b>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence</b>	Yes
7.	<b>Any other aspect relevant to the present case.</b>	No

4. 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.

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 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]**

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) has genuinely effected a compromise with the petitioners and he has 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, CRM-M-41006-2024 is hereby accepted and FIR No.209 dated 25.08.2022, under Sections 302, 115 and 201 of IPC, registered at Police Station Sidhwan Bet Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed *qua* the



petitioners, in view of compromise dated 07.03.2024 (Annexure P-2).

12. Since the proceedings has already been quashed in CRM-M-41006-2024 bearing FIR No.209 dated 25.08.2022, under Sections 302, 115 and 201 of IPC, registered at Police Station Sidhwan Bet Ludhiana Rural on the basis of compromise, there is no necessity to pass any separate order in CRM-M-53396-2022.

13. Hence both the petitions stand disposed of.

14. A photocopy of this order be placed on the file of the connected case.

(SANJAY VASHISTH)  
JUDGE

30.04.2025  
amandeep

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