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

**CRM-M-54859-2023 (O&M)  
Date of decision : 19.05.2025**

Amarjeet and another ... Petitioners

Versus

State of Haryana and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Rahul Rathore, Advocate for the petitioners.

Mr. Kiran Pal Singh, AAG, Haryana.

Ms. Ishita Negi, Advocate for respondent Nos.2 and 3.

**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C. '), praying for quashing of FIR No.73 dated 08.09.2019 (P-1), under Sections 323, 324 and 506 of Indian Penal Code, 1860 (for short 'IPC') (Sections 201 and 307 IPC added later on), registered at Police Station Ram Nagar, District Karnal along with all consequential proceedings arising therefrom on the basis of compromise dated 11.10.2023 (P-2), entered into between the parties i.e. petitioners as well as respondent Nos.2 and 3.

2. Allegations are that petitioners armed with a sharp edged weapon had inflicted injuries on the person of respondent No.2 (*de facto* complainant) and respondent No.3 and also criminal intimidated them.

3. Contends that matter has been amicably settled between the parties, i.e. petitioners as well as respondent Nos.2 and 3; hence FIR in question as well as consequential proceedings deserve to be quashed.



4. Learned counsel for respondent Nos.2 and 3 has also acknowledged the contention raised on behalf of the petitioners.

5. Still further, learned State Counsel, on instructions from the police officer present, is not averse in case the above FIR along with consequential proceedings are quashed and set aside on the basis of the compromise entered into between the parties i.e. petitioners as well as respondent Nos.2 and 3.

6. Heard learned counsel for the parties and perused the paper-book.

7. The Co-ordinate Bench, while issuing notice of motion on 04.01.2024, passed the following order:-

*“Prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No.73, dated 08.09.2019, under Sections 323, 324, 506 of IPC (Sections 216 and 307 IPC added later on), registered at Police Station Ram Nagar, Karnal (Annexure P-1) alongwith all the subsequent proceedings arising therefrom, on the basis of compromise dated 11.10.2023 (Annexure P-2).*

*Notice of motion.*

*Mr. Chetan Sharma, D.A.G., Haryana accepts notice on behalf of the respondent-State, whereas Ms. Ishika Negi, Advocate accepts notice on behalf of respondents No.2 and 3 and filed vakalatnama. The same is taken on record. Be tagged at appropriate place. She acknowledged the factum of compromise arrived at between the parties.*

*In pursuance to last order dated 03.11.2023, reply by way of affidavit of Mr. Veer Singh, HPS, Deputy Superintendent of Police, City Karnal on behalf of respondent-State has been filed in Court today and same is taken on record. A copy thereof has been supplied to learned counsel for the petitioners.*

*Adjourned to 27.02.2024.*

*Meanwhile, the parties are directed to appear before the Illaqa Magistrate/trial Court on 16.01.2024 or any other date*



*convenient to the court, which, shall record their statements and send a report to this Court as to whether the compromise is genuine, without any pressure or undue influence and also whether any accused was declared as proclaimed offender, before the next date of hearing.”*

8. In terms of aforesaid order, statements of both the parties were recorded and a report dated 03.04.2025 has been received from learned Additional District & Sessions Judge, Karnal. For reference, the operative part of report reads as under:-

*“In this regard, it is respectfully submitted that the complainant Ashish son of Shri Ram Kishan and injured Sharvan @ Sharvan Kumar son of Shri Rajendra Singh, both residents of Midaut Bujurg, Kasganj (UP) duly identified by their counsel appeared before the court of undersigned on 13.03.2024 and got their joint statement recorded to the effect that they have compromised the matter with the accused with their free will and consent and they have no objection in quashing the FIR. Further, they have stated that the original compromise dated 11.10.2023 is in the file of Hon'ble High Court and placed on record copy of compromise deed as Ex.Cl. They further stated that apart from them, there is no victim in the present case. Similarly, accused Amarjeet son of Shri Shyam Lal, resident of Village Sheikhpura, District Karnal appeared before the Court on 13.03.2024 and got his separate statement recorded to the effect that he has compromised the matter with complainant party on 11.10.2023 with his free will and without any pressure or undue influence and original compromise dated 11.10.2023 is in the file of Hon'ble High Court and copy of the same is Ex.C1. Further, he has stated that he has not been declared as proclaimed offender.*

*Notice to the Investigating Officer (IO) of the case was also issued and in pursuance to the notice IO SI Satpal Singh No.564-H. Special Detective Unit, Panipat appeared before the*



*Court on 03.04.2024 and his statement was recorded. He has stated that he has checked the total record. As per record, accused persons namely Amarjeet and Shyam Lal are facing trial and the aforesaid accused are not declared proclaimed offenders in any case.*

*In view of the above, on the basis of statements of parties, undersigned is of the view that the matter has been compromised between the complainant Ashish and injured Sharvan @ Sharvan Kumar and accused Amarjeet with their free will and consent, without any pressure and coercion on either side and the compromise effected between the complainant Ashish and injured Sharvan @ Sharvan Kumar and accused Amarjit is genuine and voluntary. Here, it needs to be added that accused Shyam Lal has since expired on 11.12.2023 and proceedings against him have been dropped vide order dated 03.04.2023.”*

9. Hon’ble the Supreme Court in **Gian Singh v. State of Punjab, (2012) 10 SCC 303**, has held as under:-

*“61. The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous*



*and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominately civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”*



10. In view of above discussion, this Court is fully convinced that the offence is entirely personal in nature and does not involve public peace or tranquility. Thus, quashing of the FIR in question along with consequential proceedings, on the basis of compromise would bring peace and harmony to secure the ends of justice.

11. Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed *qua* the petitioners.

Pending application(s), if any, shall also stand disposed off.

**19.05.2025**

*d.gulati*

**(MAHABIR SINGH SINDHU)**

**JUDGE**

*Whether speaking/ reasoned* : Yes / No

*Whether reportable* : Yes / No