



CRM-M-53240-2024

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

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CRM-M-53240-2024

Decided on : 03.04.2025

**Angrej Singh and others****.....Petitioners****Versus****State of Punjab and another****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. K.S. Brar, Advocate for the petitioners.

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Nishant Sehgal, Advocate for  
Mr. Gurbinder Singh Sidhu, Advocate  
for respondent No.2.

**SANJAY VASHISTH, J.**

1. Instant petition has been filed under Section 528 of BNSS, seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 21.09.2024 (Annexure P-2), effected between the parties.

**DETAILS OF CRIMINAL CASE:-**

<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
<b>183</b>	<b>04.06.2020</b>	<b>336, 506, 148, 149 IPC and Sections 25, 27 of Arms Act, 1959</b>	<b>Ferozepur</b>	<b>Ferozepur</b>

2. Vide order dated 25.10.2024, 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.



3. Pursuant to the aforementioned order, the parties appeared before the Court of learned Chief Judicial Magistrate, Ferozepur, and as per report dated 20.11.2024, submitted to this Court, the parties have got recorded their respective statements in Court, except petitioner No.3-Amrik Singh. Relevant part of the report dated 20.11.2024 is reproduced herebelow:

*“5. In view of the statements of complainant, petitioner/accused and IO recorded before the Court on 4.11.2024, it is hereby reported as under:-*

*i. As per the statement of IO ASI Baldev Singh that there are 9 persons arrayed as accused in the FIR who are petitioners/accused before Hon'ble High Court.*

*ii. As per the statement of IO ASI Baldev Singh that no accused are declared as proclaimed offender.*

*iii. As per statement of complainant, compromise with accused is genuine, voluntary and without any coercion or undue influence.*

*iv. As per the statement of IO ASI Baldev Singh that accused are not involved in any other FIR.*

*It is pertinent to mention here that **petitioner/accused Amrik Singh has not come present in the Court to record his statement regarding compromise.** However, complainant has suffered statement that he has compromised the matter with all the accused.”*

4. Vide order dated 18.02.2025 petitioner No.3-Amrik Singh was again directed to appear before learned trial Court/Illaga Magistrate for getting his statement recorded with regard to the compromise and in pursuance to the order dated 18.02.2025, Amrik Singh appeared before the Court of learned Chief Judicial Magistrate, Ferozepur, and as per report dated 26.03.2025, submitted to this Court, Amrik Singh has got recorded his statement with regard to compromise. For reference, relevant part of report dated 26.03.2025 is reproduced herebelow:

*“Respected Sir,*

*1. I have the honour to submit that Hon'ble High Court vide order dated 18.2.2025 passed in CRM-M-53240 of 2024 has directed the petitioner no.3 to 'appear before the learned, Illaga Magistrate/Trial Court to get record his statement on 3.3.2025 or any other date convenient to the Court.*

*2. On 7.3.2025 statement of petitioner/accused Amrik Singh was recorded in the Court wherein he submitted that the present FIR No.183 dated 4.6.2020 under section*



*326,506, 148, 149 IPC and Section 25 and 27 of Arms Act P.S. City Ferozpur was registered against him and other petitioners/accused on the statement of complainant Sukhchain Singh. He has effected compromise with the complainant. The said compromise is genuine, voluntary and without any coercion or undue influence. The present FIR and subsequent proceeding against him and other petitioners/accused kindly be quashed by. Hon'ble High Court. He has further stated that in compliance of the order dated 18.2.2025 passed by Hon'ble Punjab and Haryana High Court, amount of Rs.10,000/- has been deposited in Shri Ram Bagh Old Age Sewa Ashram Ferozpur Cantt.*

*It is further submitted that statement of complainant, victim and others petitioners/accused have already been sent to your goodself Your Honour and the said fact has also been mentioned in the order dated 18.2.2025 passed by Hon'ble Punjab and Haryana High Court.*

*Original receipt regarding deposit of Rs.10,000/- Shri Ram Bagh Old Age Sewa Ashram Ferozpur Cantt is sent to your goodself Your Honour in compliance of the order of Your Honour.*

*Copies of statement and other documents are attached herewith kind perusal of Hon'ble High Court.*

*Hence, this report in compliance to directions of Hon'ble High Court.”*

5. Learned counsel for the petitioners submits that in view of the reports 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, 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-Debitia 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 reports alongwith statements of the affected parties received from learned Court below reveal that the complainant/victim persons 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 reports 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



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*qua* the petitioners, in view of compromise dated 21.09.2024 (Annexure P-2).

11. Petition stands disposed of.

**03.04.2025**  
*rashmi*

**(SANJAY VASHISTH)**  
**JUDGE**

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**