



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

261

CRM-M-25030-2025

Date of decision: 01.09.2025

Banwari Lal and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. S.S. Sahu, Advocate for the petitioners.

Mr. Vikram Singh, AAG, Haryana.

Ms. Sunita Devi, Advocate for respondent No.2.

AARADHNA SAWHNEY, J.(ORAL)

1. The present petition has been filed under Section 528 BNSS, seeking quashing of FIR No.233 dated 15.08.2023 registered under Sections 147/149/186/332/341/353/506/379-B IPC (Section 147/149 deleted and Section 34 IPC added later on) at Police Station Bhattu Kalan, District Fatehabad (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 14.04.2025 (Annexure P-2).

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 14.04.2025 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The learned trial Court vide report dated 03.06.2025 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure and the petitioners have also deposited the cost of Rs.15,000/- in compliance to the order dated 08.05.2025. It has also been



mentioned in the said report that petitioners are also involved in other cases.

3. Respondent No.2 is represented by his counsel and admits the factum of compromise.

4. In view of the aforesaid report of the trial Court and in view of the decision of the Hon'ble Supreme Court in "*Gian Singh Vs. State of Punjab and another*", 2012(4) RCR (Criminal) 543 and "*Narinder Singh and Others Vs. State of Punjab and Another*", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

5. A Coordinate Bench of this Court in *Karampal Singh vs. State of Haryana and another*, 2024 NCPHHC 46699, has held as under:-

"7. This Court and Apex Court has repeatedly dealt with the issue of exercise of jurisdiction under Section 482 of the Code to quash proceeding recognizing compromise between parties in non-compoundable offences in the cases of Gian Singh vs. State of Punjab and another, 2012(10) SCC 303, State of Madhya Pradesh vs. Laxmi Narayan and others (2019) 5 SCC 688, Kulwinder Singh & others vs. State of Punjab & another, 2007 (3) RCR (Criminal) 1052 and Ram Gopal and another vs. State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322 (Criminal Appeal No.1489 of 2012 decided on 29th of September, 2021 and Mohammad Wajid & anr. Vs. State of U.P. & ors, 2023 AIR (SC) 3784). The proposition of law that emerges from the aforesaid decisions rendered by Apex Court and this Court is :

(a) Power u/s 482 Cr.P.C. vested with this Court is much wiser and is unaffected by Section 320 of the Code.

(b) However, wider the power greater the caution.

(c) The underlining principle while exercising such power is



that it can be invoked to quash the proceedings recognizing compromise between the parties in the matters which are overwhelmingly and predominantly of civil character like commercial transactions or arising out of matrimonial relationship or family disputes.

(d) The said power is not to be exercised in the prosecutions involving heinous and serious offences of mental depravity or offences like murder, rape, dacoity etc. as such offences are not private in nature and have a serious impact on society.

(e) Section 482 Cr.P.C. casts duty upon the High Court to advance interest of justice as well. It is in recognition of this duty casted upon the High Court, that Apex Court held that the High Court would not refuse to quash FIR under Section 307 merely because FIR finds mention thereof. High Court can assess nature of injuries sustained, whether such injuries inflicted on vital/delicate parts of the body/nature of weapons used etc.

(f) Such exercise at the hands of High Court would be permissible only after the evidence is collected after investigation and chargesheet is filed/charges framed during the trial. Such exercise cannot be carried out while the matter is still under investigation.

(g) While quashing FIR in non-compoundable offences even which are of private in nature, High Court is required to consider antecedents of the accused, conduct of the accused and whether he was absconding or whether he has managed the complainant to enter into a compromise.

(h) When it comes to quashing of FIR on criminal proceedings, the criminal antecedents of the accused cannot be the sole consideration to decline to quash the criminal proceedings.”

6. In view of the facts and circumstances mentioned hereinabove, the present petition is allowed. FIR No.233 dated 15.08.2023, 147/149/186/332/341/353/506/379-B IPC (Section 147/ 149 deleted and



Section 34 IPC added later on) registered at Police Station Bhattu Kalan, District Fatehabad (**Annexure P-1**) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(AARADHNA SAWHNEY)
JUDGE

01.09.2025

Hemant

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No