
(2025) 08 P&H CK 0877
In the Punjab And Haryana At Chandigarh
Case No : CRM-M Of 10239 Of 2025

Sandeep Kumar @ Golu

APPELLANT

Vs

State of Haryana and Anr

RESPONDENT

Date of Decision : 01-08-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Bharatiya Nyaya Sanhita, 2023 — Section 74, 75(3), 127(2), 333, 351(3)
Code of Criminal Procedure, 1973 — Section 482

Citation : (2025) 08 P&H CK 0877

Hon'ble Judges : Amarjot Bhatti, J

Bench : Single Bench

Advocate : Sumit Dua, Ayuwan Singh, Varun Singh Dhanda

Final Decision : Allowed

Judgement

Amarjot Bhatti, J

1. Petitioner – Sandeep Kumar alias Golu has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.397 dated 26.12.2024, under Sections 74, 75(3), 127(2), 333, 351(3) of BNS 2023, registered at Police Station Kalayat, District Kaithal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise effected between the parties dated 21.01.2025 (Annexure P-3).

2. As per facts of the case, complainant/respondent No.2 'A' filed written complaint that on 26.12.2024 at about 1:30 PM three ladies namely Nanhi, Krishna and Murti came to her house and started saying to vacate the house otherwise there will be bloodshed. After some time, Sandeep Kumar @ Golu along with another person came to her house in a car. He looked at her with bad intention, grabbed her hand and pulled her and started abusing her. She tried to call her family but he snatched her phone and threw it away. He brought gandasa from his car and attacked on her. She turned towards one side to save herself otherwise it would have hit her head. He was waiving gandasa in the air and was

proclaiming that he would kill the entire family. She was confined inside the house and he himself sat outside armed with gandasa. A video was also prepared. The police also reached on the spot and finally the present complaint was filed. Even on the way her brother-in-law Dildar was threatened by Sandeep Kumar @ Golu by calling him on phone. With these allegations, present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 17.03.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Kaithal dated 22.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Sandeep Kumar @ Golu also confirmed this fact in his separate statement. Statement of SI Vijay Kumar is also recorded who confirmed that initially present FIR was registered against five accused but during investigation, four accused were found innocent and only present petitioner Sandeep Kumar @ Golu is arrayed as an accused. He is not declared as proclaimed offender. He also confirmed that present petitioner is involved in four other FIRs.

5. Therefore, from the report of Judicial Magistrate Ist Class, Kaithal it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Both the parties are residents of same locality, it would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all litigation started between them. So far as the other FIRs are concerned, the same will be disposed of by the concerned Court on its own merits.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 titled as Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was explained that 'there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.'

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and of FIR No.397 dated 26.12.2024, under Sections 74, 75(3), 127(2), 333, 351(3) of BNS 2023, registered at Police Station Kalayat, District Kaithal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.