CNR No: PHHC010403972026
2026:PHHC:122722

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

284

CRM-M-13149-2026 (O&M)
Date of Decision:**03.09.2026**

SUKHWINDER KAUR

… Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondent

-.-

**CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present:- Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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**VIRINDER AGGARWAL, J**. (Oral)

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 Cr.P.C., 1973) seeking quashing of FIR No. 205 dated 11.12.2025, registered under Sections 109, 333, 118(1) and 115(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 307, 452, 324 and 323 IPC, 1860), at Police Station Adampur, District Jalandhar Rural, along with all consequential proceedings arising therefrom, on the basis of the compromise dated 22.12.2025 (Annexure P-2) arrived at between the parties, whereby the dispute forming the subject matter of the impugned FIR has been amicably and voluntarily resolved.

2. Briefly stated, the facts giving rise to the registration of the present FIR are that it was lodged on the statement of Manjit Singh, aged

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about 47 years, who stated that he is a resident of the aforementioned address and is engaged in work at Deepak Studio, Moti Nagar, Ludhiana. He further stated that he has three children, namely, his elder daughter Bandana, aged about 21 years, his son Simarjot Singh, aged about 15 years, and his younger daughter Akansha, aged about 14 years. Since, on account of the nature of his work, he frequently remains away from home for about 8–10 days at a stretch, his wife Ramanjit Kaur resides at the house with their children.

2.1. It was further alleged that, on the morning of the occurrence, at about 9:00 a.m., the complainant received a telephone call from his wife, who informed him that their neighbour, namely, Sukhwinder Kaur wife of Baljit Singh, resident of Patti Udhopur, Beas Pind, Police Station Adampur, had entered their house and allegedly attacked their daughter Bandana with a knife, with an intention to cause her death, thereby causing injuries to her neck and arms. On receiving the aforesaid information, the complainant reached Fortis Hospital, Jalandhar, where his daughter had been admitted for treatment. The complainant accordingly made his statement before the police, requesting that appropriate action be taken against Sukhwinder Kaur. On the basis of the aforesaid statement and allegations, the impugned FIR came to be registered.

3. Learned counsel for the petitioner has placed reliance upon the judgment rendered by a Co-ordinate Bench of this Court in ***Simarjit Kaur and Others vs. State of Punjab and Another, CRM-M-55342-2024, decided on 12.11.2024***, wherein this Court, in the exercise of its inherent jurisdiction, permitted quashing of the FIR on the basis of compromise

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notwithstanding the fact that Section 307 IPC, along with other offences, was involved. The Co-ordinate Bench, while considering the nature and circumstances of the settlement, observed that the parties belonged to the same village and, being members of a closely-knit rural community, were likely to continue sharing the same social milieu for generations. It was further observed that where the parties have voluntarily buried their differences and arrived at an amicable settlement with a view to restoring peace, harmony and amity, the continuation of criminal proceedings merely to serve a deterrent purpose would not necessarily advance the reformative objectives underlying criminal jurisprudence. The Court, upon being satisfied that the settlement was genuine and that continuation of the prosecution would serve no fruitful purpose, accordingly held the case to be a fit one for accepting the compromise even in respect of an offence under Section 307 IPC.

3.1. Learned counsel has further relied upon the judgment of the Hon'ble Supreme Court in ***Narinder Singh vs. State of Punjab, 2014 INSC 217***, wherein the Hon'ble Apex Court, while delineating the parameters for exercise of inherent jurisdiction in cases involving settlement between the parties, recognised that where the parties arrive at a genuine settlement soon after the alleged occurrence, the High Court may adopt a more liberal approach while considering a prayer for quashing of the criminal proceedings, subject, of course, to the nature and gravity of the offence and the facts and circumstances of the particular case.

4. Per contra, learned State counsel has vehemently opposed the present petition and submitted that the allegations levelled in the

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impugned FIR cannot be lightly brushed aside merely because the parties have subsequently entered into a compromise. It is contended that the petitioner has been attributed a direct, specific and overt role in the alleged occurrence and that the allegations, on their face, disclose the commission of offences involving violence and an alleged intention to cause death, thereby imparting a serious and grave complexion to the prosecution case. Learned State counsel submits that the mere fact that the parties have arrived at a settlement subsequent to the occurrence does not, by itself, obliterate the alleged criminality or confer an automatic right upon the accused to seek quashing of the criminal proceedings.

4.1. It is further contended that the offences invoked in the present case, including the offence corresponding to Section 307 IPC, are of a serious and non-compoundable nature and have ramifications extending beyond the immediate parties to the dispute. The State, therefore, cannot be regarded as a mere spectator to a private settlement where the allegations disclose an offence which, by its very nature, affects the societal interest and the administration of criminal justice. Learned State counsel has further submitted that the power under Section 528 of the BNSS (corresponding to Section 482 Cr.P.C.) is extraordinary and discretionary in character and is to be exercised sparingly, with due circumspection and only where the Court is satisfied that such interference is necessary to secure the ends of justice or to prevent abuse of the process of law. A compromise between the parties, it is argued, cannot be permitted to become a device for routinely neutralising prosecution for

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serious offences, particularly where the allegations disclose a direct role attributable to the accused.

4.2. It is thus urged that, having regard to the nature and gravity of the offences alleged, the specific role attributed to the petitioner and the larger societal interest implicated in the prosecution of such offences, the present case does not fall within the exceptional category warranting exercise of the inherent jurisdiction of this Court on the basis of a subsequent compromise. Learned State counsel accordingly prays that the present petition be dismissed and the criminal proceedings be permitted to take their due course in accordance with law.

5. Having given my anxious and thoughtful consideration to the rival submissions advanced by learned counsel for the parties and upon a meticulous examination of the impugned FIR, the medical evidence, the material placed on record and the surrounding circumstances, this Court is not persuaded that the present case warrants exercise of the extraordinary and discretionary jurisdiction vested in this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 Cr.P.C.) for quashing the impugned FIR on the basis of the compromise arrived at between the parties.

6. The nature and gravity of the allegations assume considerable significance in determining whether the inherent jurisdiction of this Court ought to be exercised in favour of the petitioner. The medico-legal report (MLR) records as many as 13 injuries upon the person of injured Bandana. Significantly, the injuries include three incised wounds, besides multiple lacerations, thereby lending prima facie support to the allegation that a

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knife was used during the occurrence. More importantly, the assault was not confined to any innocuous or non-vital part of the body; rather, the neck, being a vital and particularly vulnerable part of the human body, was specifically targeted. The injury sustained on the neck has, as per the medical opinion, been opined to be dangerous to life. These circumstances, when cumulatively considered, impart substantial gravity to the allegations and cannot be relegated to the category of a trivial or purely personal altercation merely because the parties have subsequently chosen to settle their differences.

6.1. It is a settled principle that the permissibility of quashing on the basis of compromise cannot be determined by applying an inflexible or mechanical formula. The Court is required to examine the nature and gravity of the offence, the manner in which the occurrence is alleged to have taken place, the specific role attributed to the accused, the nature of injuries caused and the broader societal implications of bringing the prosecution to an end. Each case must, therefore, necessarily turn upon its own peculiar facts and circumstances. In the present case, the allegations are not merely of a verbal altercation or a simple physical scuffle; rather, the prosecution case attributes to the accused a direct assault with a knife, resulting in multiple injuries, including an injury upon the vital part of the body, namely, the neck of injured Bandana, which was dangerous to life. The factual matrix, thus, does not persuade this Court to exercise its extraordinary jurisdiction merely on the basis of the subsequent settlement.

6.2. It is further of significance that the prosecution has invoked Section 307 IPC, alleging an attempt upon the life of the injured. Although

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the offence under Section 307 IPC is non-compoundable in terms of the statutory scheme, the mere non-compoundable character of the offence is not, by itself, determinative of the jurisdiction under Section 528 BNSS. At the same time, the fact that the offence is non-compoundable, coupled with the nature and severity of the injuries, the weapon allegedly employed, the part of the body targeted and the specific allegation concerning the intention to cause death, constitutes a material circumstance which must necessarily weigh with the Court while considering a prayer for quashing on the basis of compromise. The subsequent willingness of the injured/complainant to enter into a settlement, though relevant, cannot by itself efface the gravity of the alleged act or render the prosecution devoid of societal significance.

6.3. The inherent jurisdiction conferred upon this Court under Section 528 BNSS is undoubtedly of wide amplitude; however, its width cannot be equated with unrestrained discretion. The jurisdiction is essentially extraordinary, discretionary and equitable in character, to be exercised with due circumspection and in furtherance of the twin objectives of securing the ends of justice and preventing abuse of the process of law. While a genuine compromise may constitute a relevant consideration in cases predominantly bearing a private or personal character, the Court must remain circumspect where the allegations disclose serious physical violence or an offence which has a perceptible impact upon the societal interest in maintaining public order and preserving the sanctity of human life.

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6.4. The power of quashing cannot, therefore, be invoked as a matter of course merely because the victim or complainant has subsequently chosen to settle the dispute. The Court is required to strike a delicate balance between the interest of the individual parties in bringing the dispute to an end and the larger public interest in ensuring that serious criminal conduct is subjected to the adjudicatory process in accordance with law. The compromise, though voluntary and possibly conducive to restoration of inter se harmony, cannot become the sole determinative consideration where the allegations, taken at their face value, disclose conduct of a serious nature.

6.5. In the facts of the present case, the cumulative effect of the circumstances noticed hereinabove weighs decisively against terminating the prosecution at its threshold. The allegation of a knife assault, the attribution of a direct and specific role to the accused, the existence of 13 injuries, including three incised wounds, the targeting of the neck, and the medical opinion characterising the neck injury as dangerous to life, collectively constitute circumstances of sufficient gravity to warrant the prosecution being tested through the regular process of criminal adjudication. At this stage, this Court cannot lose sight of the distinction between a dispute which is essentially private in character and one which, by reason of the nature of the alleged act and the manner of its execution, carries a demonstrable element of societal concern.

6.6. Permitting the criminal proceedings to be extinguished solely on the strength of the compromise, in the peculiar facts of the present case, would risk overlooking the seriousness of the alleged occurrence and

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would amount to exercising the extraordinary jurisdiction without adequate regard to the nature of the accusation and the medical material available on record. The consideration that the parties have buried their differences, therefore, cannot, in the circumstances of the present case, outweigh the other relevant factors which militate against quashing of the FIR.

6.7. This Court is also mindful of the fact that, while exercising jurisdiction under Section 528 BNSS, it is neither required nor permissible to conduct a meticulous appreciation of evidence or to return any final finding regarding the guilt or innocence of the accused. The observations made herein are confined to determining the limited question as to whether the present case constitutes an appropriate one for terminating the criminal proceedings at the threshold on the basis of compromise. The evidentiary worth of the material, the credibility of the witnesses and the ultimate culpability of the accused are matters to be determined by the learned Trial Court in accordance with law.

7. Viewed from the aforesaid perspective, this Court finds that the present case does not disclose such exceptional circumstances as would justify exercise of the inherent jurisdiction for quashing the impugned FIR on the basis of the compromise. On the contrary, the nature of the accusation, the specific attribution, the weapon allegedly used, the multiplicity and character of the injuries, the targeting of a vital part of the body and the medical opinion regarding the life-threatening nature of the neck injury, collectively constitute sufficient grounds for declining the discretionary relief sought by the petitioner.

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7.1. Accordingly, this Court finds no compelling circumstance warranting interference under Section 528 BNSS. The prayer for quashing the impugned FIR and the consequential proceedings on the basis of compromise is, therefore, declined. The present petition is accordingly **dismissed**.

8. It is, however, clarified that the observations contained in this order are confined strictly to the adjudication of the present petition and shall not be construed as an expression of opinion on the merits of the prosecution case or the defence of the petitioner. The learned Trial Court shall proceed with the matter independently and adjudicate the same on the basis of the evidence that may be brought on record, uninfluenced by any observation made herein.

9. Consequent upon the final adjudication of the present petition, all pending miscellaneous, interlocutory and ancillary applications, if any, arising out of or connected with the present proceedings, stand disposed of accordingly. In view of the final determination of the principal proceedings, the substratum of such applications no longer survives and they have, consequently, been rendered infructuous. No separate or further order is warranted in respect thereof.

**( VIRINDER AGGARWAL)**
**JUDGE**

**03.09.2026**
**Gaurav Sorot**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No

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