



CRM-M-54787-2025

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

CRM-M-54787-2025

Param Pal Singh @ Param Walia and others

...Petitioners

V/s

State of Punjab and another

...Respondents

**Date of Reserve: 19.02.2026****Date of Pronouncement: 05.03.2026****Date of Uploading : 05.03.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Sonpreet S. Brar, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Addl. A.G. Punjab.

Mr. Gurkirat Singh, Advocate for respondent No.2.

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**SUMEET GOEL, J.**

1. The present petition has been preferred by the petitioners Section 528 of BNSS seeking quashing of FIR No.54 dated 12.07.2025 (hereinafter to be referred as the impugned FIR) registered under Sections 420, 506, 120-B of IPC and Section 3(1) (R) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act at Police Station Maloud, District Khanna, Ludhiana and all consequential proceedings arising therefrom on the basis of an compromise dated 20.07.2025 stated to have been effected between the petitioners and respondent No. 2 - complainant.
2. The gravamen of the FIR reflects that the complainant alleged that the petitioners in furtherance of their common intention and conspiracy, induced the complainant on the false pretext of securing a government job and thereby dishonestly obtained a sum of ₹2,05,000/-



from him. It has been further alleged that despite repeated demands, the petitioners neither arranged the promised employment nor returned the amount and upon being confronted by the complainant, he was subjected to insult by using caste-based derogatory remarks in public view knowing him to be a member of a Scheduled Caste. Furthermore, when the complainant demanded return of his money, the accused neither refunded the amount nor returned his documents and allegedly shown him a pistol & threatened him with dire consequences. On the basis of these allegations, the FIR *ibid* has been registered.

3. Learned counsel for the petitioners has iterated that the present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the FIR in question on the basis of a compromise arrived at between the petitioners and respondent No. 2 - complainant. Learned counsel has further iterated that with the intervention of respectable persons and family members, the matter has been amicably settled between the parties and the entire dispute, which was purely personal in nature, has been resolved. It has been further submitted that amount in question has already been paid to the complainant. Furthermore, an affidavit of the respondent No.2-complainant acknowledging the compromise has also been placed on record. Learned counsel has further submitted that in view of the compromise, respondent No. 2 no longer wishes to pursue the criminal proceedings and hence the continuation of the criminal proceedings would amount to abuse of the process of law and would serve no useful purpose. To buttress his arguments, reliance has been placed on the judgments of the titled as



*Kulwinder Singh and others vs. State of Punjab and another, 2007 (3) RCR (Criminal) 1052* and *K. Ramkrishan and another vs. State of Bihar and another, AIR 2000 Supreme Court, 3330*, to contend that this Court, in exercise of its inherent powers, can quash criminal proceedings on the basis of compromise even in non-compoundable offences, in order to secure the ends of justice and to prevent abuse of the process of the Court. On the strength of these submissions, learned counsel has prayed that the FIR and all subsequent proceedings arising therefrom be quashed on the basis of the compromise between the parties.

4. Learned State counsel has opposed the prayer made by the petitioners seeking quashing of the FIR in question. Learned State counsel has iterated that although the petitioners have relied upon a compromise allegedly effected with respondent No. 2 - complainant and this Court had directed the parties to appear before the learned Trial Court/Illaq Magistrate for recording of their statements with regard to the genuineness and voluntariness of the compromise but the allegations levelled against the petitioners are serious in nature involving cheating of a poor person under the false pretext of providing a government job coupled with caste based abuses and criminal intimidation. According to learned State counsel, the offences alleged against the petitioners involve allegations of cheating as also under Section 3(1)(R) of the SC and ST Act which are non-compoundable and hence the same cannot be quashed merely on the basis of an compromise. Accordingly, the dismissal of the petition in hand is entreated for.

5. Learned counsel appearing on behalf of respondent No. 2 -



complainant has iterated the dispute between the parties was primarily of a personal and financial in nature. However, learned counsel has contended that pursuant to the order passed by this Court, the parties have appeared before the learned Court below for recording of their statements with regard to the genuineness and voluntariness of the compromise. It has been further contended that the dispute arose out of a misunderstanding relating to a monetary transaction and no such incident as alleged in the FIR has actually taken place in the manner recorded therein. Furthermore, the complainant has received the agreed amount from the petitioners and nothing now remains due between the parties. According to learned counsel, the complainant has no grievance against the petitioners and does not wish to pursue the criminal proceedings any further. An affidavit to this effect has already been placed on record stating that the compromise has been entered into without any pressure, coercion or undue influence.

6. I have heard learned counsel for the rival parties and have perused the available record.

7. Indubitably, the wide plenary powers of this Court under its inherent jurisdiction are saved by virtue of Section 528 BNSS, 2023, which except for self-imposed restrain(s), are not bound by any restriction or limitation. However, the wider the powers are, more is the duty upon the Courts to invoke extraordinary inherent jurisdiction with utmost circumspection. It is the statutory right as well as the duty of the Police to investigate into a cognizable offence. *Ergo*, where the allegations, *prima facie*, disclose the commission of cognizable offence, this Court must act with deference while considering a plea for quashing of the FIR. It is not



*apropos* for this Court to embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations, particularly, when the case is at the stage of investigation, *lest*, it may tantamount to usurping the jurisdiction of an authority, statutorily vested with the powers to conduct investigation. Save in exceptional cases, where the conduct of investigation itself is a miscarriage of justice, such as where allegations, *prima facie*, do not disclose commission of a cognizable offence, interference by this Court, under the inherent jurisdiction is justified.

8. Indubitably, the allegations levelled in the FIR are not purely private in nature. The complainant has specifically alleged that the petitioners have induced him to part with a substantial amount of money on the false pretext of securing a job thereby attracting the offence of cheating. Furthermore, it has been alleged that when the complainant has demanded the return of his money, he was subjected to caste-based derogatory remarks and was threatened with a pistol. The offence under Section 3(1)(R) of the SC/ST Act is not an offence against an individual alone but is an offence against the dignity of a member of a Scheduled Caste or Scheduled Tribe and has a direct bearing on social justice. Such an offence cannot be treated as a matter of private settlement between two parties. The power of this Court under Section 528 BNSS to quash criminal proceedings is undoubtedly wide but is to be exercised with circumspection. Where the allegations disclose serious offences involving moral turpitude, intimidation with a weapon and insult on the basis of caste, the Court would cautiously exercise its inherent jurisdiction as permitting quashing of such offences on the basis of compromise would



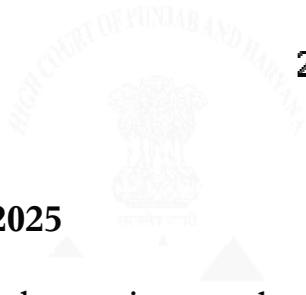
defeat the very object of the special enactment.

9. At this stage, this Court is not required to examine the truthfulness of the allegations in detail. The FIR and the preliminary inquiry conducted by the DSP (NDPS) Khanna *prima facie* disclose the commission of cognizable offences. In the considered opinion of this Court, the compromise placed on record does not obliterate the offence particularly when the allegations pertain to caste-based humiliation and criminal intimidation with a firearm. In cases involving members of vulnerable sections of society, the possibility of pressure or coercion leading to a compromise cannot be lightly ruled out, especially when the parties belong to the same locality.

In view of the nature and gravity of the allegations, the statutory mandate of the SC/ST Act and the societal impact of the offences alleged, this Court does not find it to be a fit case for exercise of inherent jurisdiction to quash the FIR on the basis of compromise. Keeping in view the entirety of the facts and circumstances of the present case, this Court is of the considered view that no case for quashing of instant FIR is made out.

10. As an upshot of above-said ruminations, it is directed as follows:

(i) The petition; seeking quashing of FIR No.54 dated 12.07.2025 (hereinafter to be referred as the impugned FIR) registered under Sections 420, 506, 120-B of IPC and Section 3(1) (R) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act at Police Station Maloud, District Khanna, Ludhiana and all consequential proceedings arising therefrom; is dismissed.



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(ii) Any observations made and/or submissions noted hereinabove shall not have any effect on the merits of the case and the trial Court shall proceed further, in accordance with law, without being influenced with this order.

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

**(SUMEET GOEL)**  
**JUDGE**

March 05, 2026  
*Ajay*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

