

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

(271)

CRM-M-15814-2026 (O&M)

Date of Decision:03.08.2026

Jagpal Singh @ Pala

... Petitioner

Versus

State of Punjab and Another

... Respondents

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Bhanu Chaudhary, Advocate
for the petitioner.

Mr. Nitish Sharma, DAG, Punjab.

Mr. Kanhya Goyal, Advocate
for respondent No.2.

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VIRINDER AGGARWAL, J. (Oral)

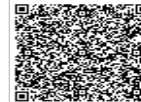
1. The present petition has been instituted under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.240 dated 16.12.2025, registered under Sections 308(4), 351(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 387, 506 and 120-B IPC) at Police Station Sardulgarh, District Mansa, along with all consequential proceedings arising therefrom, on the basis of a compromise dated 07.03.2026 allegedly arrived at between the parties.
2. Briefly stated, the prosecution case emanates from the statement of the complainant, Gurvinder Singh, who alleged that on



08.12.2025 he received a telephone call from an unknown mobile number, wherein the caller claimed to be associated with the Bishnoi gang and demanded ₹25 lakhs for purchasing weapons, threatening to kill the complainant and his family in the event of non-payment. Initially treating the call as a hoax upon the advice of his acquaintances, the complainant did not report the matter. However, on 16.12.2025, he allegedly received another call from a different mobile number, wherein the caller identified himself as a gangster, reiterated the demand for ₹25 lakhs and directed the complainant to come to Ratia (Fatehabad), while extending threats of dire consequences to him and his family. Upon making enquiries, the complainant allegedly discovered that the calls had been made by accused Badal Singh, whereas the threats had been extended by Jagpal Singh @ Pala. The complainant accordingly approached the police and produced a pen drive containing the alleged audio recording of the telephonic conversation, whereupon the present FIR came to be registered.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is submitted that, with the intervention of respectable persons, the parties have amicably resolved their disputes and have entered into a compromise dated 07.03.2026. In view of the said settlement, it is argued that continuation of the criminal proceedings would serve no useful purpose and would amount to an abuse of the process of law. Accordingly, it is prayed that the impugned FIR and all consequential proceedings arising therefrom be quashed in exercise of the inherent jurisdiction of this Court.

4. Per contra, learned State counsel has vehemently opposed the petition, contending that the petitioner has been attributed a specific role in



the commission of the alleged offence. It is further submitted that the offences involved are serious and non-compoundable in nature, and therefore, the mere factum of compromise cannot, by itself, furnish a valid ground for quashing the criminal proceedings. Accordingly, it is prayed that the present petition, being devoid of merit, be dismissed.

5. I have heard learned counsel for the parties at considerable length and have meticulously perused the paper book and the material placed on record with their able assistance.

6. Upon a careful consideration of the allegations contained in the FIR, read in conjunction with the material collected during the course of investigation, this Court is of the prima facie view that it cannot be held that the impugned FIR fails to disclose the commission of any cognizable offence. Equally, it cannot be concluded that the allegations, even if accepted in their entirety as true at this stage, do not constitute the ingredients of the offences alleged, or that they are so patently absurd, inherently improbable or manifestly frivolous as to justify the exercise of the extraordinary and inherent jurisdiction of this Court for quashing the criminal proceedings. Consequently, the case of the petitioner does not satisfy any of the well-recognised parameters governing the exercise of inherent jurisdiction for quashing criminal proceedings, as authoritatively enunciated by the Hon'ble Supreme Court in ***State of Haryana and Others vs. Ch. Bhajan Lal and Others, 1991 (1) RCR (Criminal) 383***. The relevant observations are reproduced hereunder:-

“107. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the



exercise of the extraordinary power under Article 226 or the inherent powers under section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any Court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

1. Where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.
2. Where the allegations in the First Information Report and other materials, if any, accompanying the F.I.R. do not disclose a cognizable offence, justifying an investigation by police officers under Section 156 (1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.
3. Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.
4. Where, the allegations in the F.I.R. do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.



5. Where the allegations made in the F.I.R. or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.
6. Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.
7. Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.

108. We also give a note of caution to the effect that the power of quashing a criminal proceeding should be exercised very sparingly and with circumspection and that too in the rarest of rare cases; that the Court will not be justified in embarking upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the F.I.R. or the complaint and that the extraordinary or inherent powers do not confer an arbitrary jurisdiction on the Court to act according to its whim or caprice.”

7. In *M/s Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra (2021) 19 SCC 401*, a Three-Judge Bench of the Hon'ble Supreme Court authoritatively delineated the scope and ambit of the inherent jurisdiction of the High Court under Section 482 Cr.P.C. Reaffirming the settled legal position, the Court held that the power to



quash criminal proceedings is extraordinary in nature and is to be exercised sparingly, with great circumspection, and only in exceptional cases, the expression "*rarest of rare*" being employed in a context distinct from that governing the imposition of capital punishment.

7.1. The Hon'ble Supreme Court further held that, while exercising jurisdiction under Section 482 Cr.P.C. for quashing an FIR or criminal proceedings, the High Court is not expected to enter into disputed questions of fact or adjudicate upon the correctness, reliability or genuineness of the allegations levelled in the FIR or complaint. At such stage, the Court cannot examine the defence available to the accused, undertake a meticulous appreciation of evidence, or conduct a mini-trial. Interference would be justified only where the case unmistakably falls within the well-recognised parameters governing the exercise of inherent jurisdiction, particularly those enunciated in ***R.P. Kapur vs. State of Punjab AIR 1960 SC 866*** and ***State of Haryana and Others v. Bhajan Lal*** (supra).

8. Tested on the touchstone of the aforesaid settled principles, the present case does not satisfy any of the parameters laid down in ***Ch.Bhajan Lal*** (supra) or ***M/s Neeharika Infrastructure Pvt. Ltd.*** (supra) so as to warrant the exercise of the extraordinary inherent jurisdiction of this Court. At this stage, there is no material to *prima facie* indicate that the impugned FIR is manifestly *mala fide*, frivolous, vexatious, or actuated by an ulterior motive amounting to an abuse of the process of law. On the contrary, the allegations contained therein disclose the commission of cognizable offences, thereby necessitating a fair, impartial and complete



investigation. Judicial interdiction at this incipient stage would, therefore, be wholly unwarranted.

9. A perusal of the material collected during the course of investigation reveals that the allegations against the petitioner cannot, at this stage, be said to be illusory or devoid of substance. The prosecution case is that the petitioner made extortion calls demanding ₹25 lakhs from the complainant by threatening him and his family with dire consequences. During the investigation, the investigating agency obtained the Call Detail Records (CDRs), which *prima facie* indicate that a call was made from the mobile number of Badal Singh to the complainant on the date of the occurrence. Badal Singh, in his statement recorded during investigation, has specifically stated that his mobile phone had been taken by the present petitioner and that he subsequently came to know that the petitioner had used the said mobile phone to make the ransom call to the complainant. Thus, at this stage, there exists *prima facie* material connecting the petitioner with the commission of the alleged offence.

9.1. It is also borne out from the record that the petitioner has previously faced prosecution in several criminal cases of a similar nature, although he is stated to have been acquitted therein. Nevertheless, the antecedents of the petitioner, coupled with the nature of the allegations in the present case, cannot be altogether ignored while examining the prayer for quashing.

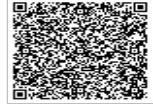
9.2. This Court cannot lose sight of the alarming rise in incidents involving extortion and ransom calls in the State of Punjab. Such offences have a direct bearing on public order and societal confidence in the administration of criminal justice. It is a matter of common experience that



in several such prosecutions, witnesses ultimately resile from their earlier statements on account of fear, intimidation, coercion or subsequent settlements, thereby frustrating the course of justice. If criminal proceedings involving such serious allegations are permitted to be terminated merely on the basis of a private compromise, it would not only defeat the deterrent object of criminal law but would also embolden offenders to evade the consequences of their criminal acts by subsequently entering into settlements with the victims.

9.3. The inherent jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is undoubtedly wide, but it is equally well settled that such power is required to be exercised with great circumspection and only to secure the ends of justice or to prevent abuse of the process of the Court. It is not intended to stifle legitimate prosecution, particularly where the allegations disclose the commission of serious and non-compoundable offences having a substantial impact upon society at large. Offences involving extortion, criminal intimidation and organised criminal activity cannot be treated as disputes of a purely private or personal nature so as to warrant quashing merely because the parties have subsequently entered into a compromise.

9.4. In the considered opinion of this Court, the compromise arrived at between the parties cannot eclipse the gravity of the allegations or the societal impact of the offence alleged. Acceptance of such a compromise in the facts of the present case would send an erroneous message that persons accused of serious offences involving extortion and criminal intimidation can avoid criminal prosecution by subsequently



securing a settlement with the complainant. Such an approach would be contrary to public policy and the larger public interest.

9.5. Accordingly, having regard to the nature and gravity of the allegations, the material collected during investigation, the non-compoundable character of the offences and the settled principles governing the exercise of inherent jurisdiction, this Court is of the considered opinion that the present case does not fall within the exceptional category warranting quashing of the FIR on the basis of compromise. Consequently, without expressing any opinion on the merits of the case, lest it prejudice either party during the course of trial, the present petition, being devoid of merit, is hereby **dismissed**.

10. It is, however, clarified that the observations recorded herein are confined exclusively to the adjudication of the present petition and shall not be construed as an expression of opinion on the merits of the case. The Investigating Agency as well as the learned Trial Court shall proceed independently and decide the matter strictly in accordance with law, uninfluenced by any observations contained in this order.

11. In view of the final adjudication of the principal petition, all pending miscellaneous applications, if any, arising out of or ancillary thereto, shall also stand disposed of. No separate or further orders are required to be passed in respect thereof.

03.08.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No