2026 INSC 934

**REPORTABLE**

**IN THE SUPREME COURT OF INDIA**
**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No._____ OF 2026**
**(Arising out of SLP(Criminal) No.1908/2024)**

**THE STATE OF PUNJAB** **Appellant(s)**

**VERSUS**

**AVTAR SINGH & ORS.** **Respondent(s)**

**O R D E R**

**1. Leave granted.**

**2. Under the impugned order, the High Court has allowed the quash petition preferred by the respondents to quash the FIR No.249 dated 25.08.2005 registered under Sections 364,325,324,323 of Indian Penal Code, 1860 (for short, 'IPC') at Police Station Abohar, District Ferozepur (now Fazilka) and all consequential proceedings arising therefrom including the judgment/ order of sentence dated 09.05.2012 passed by the Additional Sessions Judge, Ferozepur, whereby the respondents have been convicted and sentenced for imprisonment and to pay a fine under Sections 365/149 of IPC, 324/149 IPC, 325/149 IPC and 148 IPC.**

**3. Basing on the compromise subsequent to respondents' conviction, the respondents preferred quash petition under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C') in which, the High Court directed for recording of the statement of the complainant.**

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**4. The Trial Court recorded the statement of the parties including the complainant, wherein the complainant/ victim stated that the compromise has been effected with the intervention of the respectables and relatives, and the compromise is genuine without any pressure and undue influence and has been arrived at his/her own free will.**

**5. Referring to *Gian Singh Vs. State of Punjab (2012 10 SCC 303)*, the High court has quashed the subject FIR and all the proceedings arising therefrom.**

**6. In *Narinder Singh and Others vs. State of Punjab and Another reported in (2014) 6 SCC 466*, this Court has observed that power conferred under Section 482 of Cr.P.C. is to be distinguished from the powers which lies in the Court to compound the offence under Section 320 of Cr.P.C. and that the High Court has inherent powers under Section 482 of Cr.P.C. to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution only to secure ends of justice or to prevent abuse of the process of any Court.**

**7. Reiterating the principles settled in *Narinder Singh* (supra),this Court in a later judgment in the matter of *Ramgopal and Another vs. State of Madhya Pradesh reported in (2022) 14 SCC 531* has observed thus**

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**in paragraph nos.13, 14, 19 and 20:**

> **"13. It appears to us that criminal proceedings involving non-heinous offences or where the offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has already been concluded or appeal stands dismissed against conviction. Handing out punishment is not the sole form of delivering justice. Societal method of applying laws evenly is always subject to lawful exceptions. It goes without saying, that the cases where compromise is struck post-conviction, the High Court ought to exercise such discretion with rectitude, keeping in view the circumstances surrounding the incident, the fashion in which the compromise has been arrived at, and with due regard to the nature and seriousness of the offence, besides the conduct of the accused, before and after the incidence. The touchstone for exercising the extraordinary power under Section 482CrPC would be to secure the ends of justice. There can be no hard-and-fast line constricting the power of the High Court to do substantial justice. A restrictive construction of inherent powers under Section 482CrPC may lead to rigid or specious justice, which in the given facts and circumstances of a case, may rather lead to grave injustice. On the other hand, in cases where heinous offences have been proved against perpetrators, no such benefit ought to be extended, as cautiously observed by this Court in *Narinder Singh* v. *State of Punjab* [*Narinder Singh* v. *State of Punjab*, (2014) 6 SCC 466, para 29 : (2014) 3 SCC (Cri) 54] and *Laxmi Narayan* [*State of M.P.* v. *Laxmi Narayan*, (2019) 5 SCC 688, para 15 : (2019) 2 SCC (Cri) 706].**
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> **14. In other words, grave or serious offences or offences which involve moral turpitude or have a harmful effect on the social and moral fabric of the society or involve matters concerning public policy, cannot be construed betwixt two individuals or groups only, for such offences have the potential to impact the society at large. Effacing abominable offences through quashing process would not only send a wrong signal to the community but may also accord an undue benefit to unscrupulous habitual or professional offenders, who can secure a "settlement" through duress, threats, social boycotts, bribes or other dubious means. It is well said that "let no guilty man escape, if it can be avoided".**
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> *******
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> **19. We thus sum up and hold that as opposed to Section 320CrPC where the Court is squarely guided by the compromise between the parties in respect of offences "compoundable" within the statutory framework, the extraordinary power enjoined upon a High Court under Section 482CrPC or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section**

**320CrPC. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind:**

**19.1. Nature and effect of the offence on the conscience of the society;**

**19.2. Seriousness of the injury, if any;**

**19.3 Voluntary nature of compromise between the accused and the victim; and**

**19.4 Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.**

**20. Having appraised the aforestated parameters and weighing upon the peculiar facts and circumstances of the two appeals before us, we are inclined to invoke powers under Article 142 and quash the criminal proceedings and consequently set aside the conviction in both the appeals. We say so for the reasons that:**

**20.1.*Firstly*, the occurrence(s) involved in these appeals can be categorised as purely personal or having overtones of criminal proceedings of private nature.**

**20.2.*Secondly*, the nature of injuries incurred, for which the appellants have been convicted, do not appear to exhibit their mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest.**

**20.3.*Thirdly*, given the nature of the offence and injuries, it is immaterial that the trial against the appellants had been concluded or their appeal(s) against conviction stand dismissed.**

**20.4.*Fourthly*, the parties on their own volition, without any coercion or compulsion, willingly and voluntarily have buried their differences and wish to accord a quietus to their dispute(s).**

**20.5.*Fifthly*, the occurrence(s) in both the cases took place way back in the years 2000 and 1995, respectively. There is nothing on record to evince that either before or after the purported compromise, any untoward incident transpired between the parties.**

**20.6.*Sixthly*, since the appellants and the complainant(s) are residents of the same village(s) and/or work in close vicinity, the quashing of criminal proceedings will advance peace, harmony, and fellowship amongst the parties who have decided to forget and forgive any ill will and have no vengeance against each other.**

**20.7.*Seventhly*, the cause of administration of**

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> criminal justice system would remain un-effected on acceptance of the amicable settlement between the parties and/or resultant acquittal of the appellants; more so looking at their present age."

8. Applying the ratio propounded by this Court in ***Narinder Singh*** (supra) and ***Ramgopal*** (supra), we have perused the material placed before this Court and have found that the subject incident had occurred between individuals and it is not a case where a very heinous offence was committed nor it involves commission of any economic offence or dealing with contraband under NDPS Act or any scam worth crores of rupees where the society at large is involved.

9. Thus, we find that present is not a case where the impugned order should be interfered with.

10. With the above observations, the appeal is disposed of.

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

.....J.
(PRASHANT KUMAR MISHRA)

.....J.
(SHREE CHANDRASHEKHAR)

New Delhi
25.08.2026

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