



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

**CRM-M No.16545 of 2026
Date of decision: 13.05.2026**

Shamil Malpotra and others

...Petitioners

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Gaurav Partap S. Pathania, Advocate
for the petitioner.

Mr. Navraj S. Mahal, DAG, Punjab
for respondent No.1-State.

Mr. Nagesh Paul, Advocate
for respondent No.2.

MANDEEP PANNU, J. (ORAL)

1. This is a petition under Section 528 of BNSS, 2023 (corresponding to Section 482 Cr.P.C.) for quashing of FIR No.0017 dated 05.09.2025 registered under Section 79 of BNS (corresponding to Section 509 IPC) and Sections 66 and 66(C) of the Information Technology Act, at Cyber Crime Police Station Pathankot, District Pathankot (Annexure P-1), and all the subsequent proceedings arising therefrom, on the basis of compromise dated 13.03.2026 (Annexure P-3) and affidavit dated 13.03.2026 (Annexure P-4).

2. During the pendency of the dispute, the parties have compromised the matter and filed the present petition for quashing of FIR.



3. Vide order dated 21.04.2026, parties were directed to appear before the Illaqa Magistrate/trial Court and report with regard to the genuineness of the compromise was called for.

4. The report dated 06.05.2026 has been received from learned Judicial Magistrate First Class, Pathankot, stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

5. Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“29. The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in noncompoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.

30. The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. has no limits. However, the High Court will exercise it sparingly and with utmost care and caution. The exercise of power has to be with circumspection and restraint. The Court is a vital and an extra-ordinary



effective instrument to maintain and control social order. The Courts play role of paramount importance in achieving peace, harmony and ever-lasting congeniality in society. Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.”

6. In ***Gian Singh v. State of Punjab, 2012(10) SCC 303***, the Hon'ble Supreme Court held that the inherent powers of the High Court under Section 482 Cr.P.C. can be exercised for quashing criminal proceedings or FIRs even in respect of non-compoundable offences if the dispute between the parties is essentially private and personal in nature and the compromise arrived at between them is genuine. It was further held that such power is to be exercised to secure the ends of justice or to prevent abuse of the process of the Court. However, the Court clarified that heinous and serious offences having grave impact on society, such as murder, rape, dacoity and offences under special statutes, ordinarily should not be quashed merely on the basis of compromise matters having overwhelmingly civil flavour may appropriately be quashed if between the parties. The Supreme Court further observed that criminal cases arising out of matrimonial disputes, family disputes, commercial transactions and similar continuation of proceedings would serve no useful purpose.

7. In the present case also, this Court is of the considered view that the FIR in question deserves to be quashed as continuation of the



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criminal proceedings would serve no useful purpose in view of the compromise effected between the parties. The compromise arrived at between the parties has been found to be genuine, voluntary and without any coercion or undue influence. The dispute appears to be personal in nature and does not involve any heinous offence having serious impact upon society at large. Since the parties have resolved their disputes amicably and do not wish to pursue the matter any further, the possibility of conviction of the petitioner is remote and bleak. Therefore, in order to secure the ends of justice and to prevent abuse of the process of law, this Court deems it appropriate to exercise its inherent jurisdiction for quashing the FIR and all consequential proceedings arising therefrom.

8. In view of above, FIR No.0017 dated 05.09.2025 registered under Section 79 of BNS (corresponding to Section 509 IPC) and Sections 66 and 66(C) of the Information Technology Act, at Cyber Crime Police Station Pathankot, District Pathankot (Annexure P-1), with all the subsequent proceedings arising therefrom, is quashed qua the petitioners, on the basis of compromise dated 13.03.2026 (Annexure P-3) and affidavit dated 13.03.2026 (Annexure P-4).

9. The present petition is hereby allowed.

10. All pending applications, if any, also stand disposed of.

13.05.2026
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(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No