

PUNJAB AND HARYANA HIGH COURT

SINGLE BENCH

(Before : Shalini Singh Nagpal, J.)

KULBHUSHAN AGGARWAL AND ANOTHER

Vs.

STATE OF PUNJAB AND OTHERS

Criminal Miscellaneous (M) No 71308 of 2025 (O&M)

Decided on : 23-07-2026

Bharatiya Nyaya Sanhita, 2023 — Sections 125(a), 125(b) — Juvenile Justice (Care and Protection of Children) Act, 2015 — Section 75 — Quashing on compromise, compensation paid — Compromise between parties verified by Magistrate as genuine, voluntary and free of coercion; compensation cheque encashed by victim, additional treatment expenses reimbursed — Held, following settled principles permitting compounding of non-compoundable offences to prevent abuse of process, continuation of proceedings after amicable resolution and payment of compensation would be an exercise in futility — FIR and consequential proceedings quashed qua petitioners. [Paras 5, 6]

JUDGMENT

Shalini Singh Nagpal, J.-Petitioners seek quashing of FIR No. 0051 dated 01.04.2025 under Sections 125(a), 125(b) of the Bharatiya Nyaya Sanhita, 2023 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, Police Station City Malout, District Shri Muktsar Sahib and all subsequent proceedings arising therefrom, on the basis of compromise.

2. On 18.02.2026, this Court directed the parties to appear before the trial Court/Illaq Magistrate for recording of their statements with regard to compromise.

3. In compliance of the order dated 18.02.2026, parties appeared before learned Sub Divisional Judicial Magistrate, Malout on 02.04.2026. Statement of the Investigating Officer, HC Bohar Singh, No. 153/SMS, posted at P.S.City Malout was recorded on 06.04.2026. Learned Sub Divisional Judicial Magistrate, Malout has submitted her report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Relevant portion of the report is reproduced as under:

"2. In response to para no. (i) it is submitted that as per statement of investigating officer, only two person namely Kulbhushan Aggarwal and

Munesh Kumar are arrayed as accused in the present case. None of the accused has been declared proclaimed person.

3. In response to para no. (ii), it is submitted that as per statement of investigating officer, Naginder Kumar is complainant and Samir is victim and aggrieved in the present case.

4. In response to para no. (iii), it is submitted as per statement of investigating officer, challan has not been presented in the present case so far.

5. In response to para no. (iv) it is submitted that compromise is genuine, voluntary and without any coercion or undue influence and free will of the parties.

6. In response to para no. (v) it is submitted that as per statement of investigating officer, no other criminal case is pending against the accused."

4. Learned counsel for the petitioner relies upon judgments of Co-ordinate Benches of this Court in CRM-M-8178-2020 titled Gurpreet Singh Vs. State of Punjab and Another decided on 24.01.2023 and CRM-M-13025-2019 titled Riya Gulati Vs. State of Haryana and Another decided on 29.01.2020 to submit that FIR under Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015 can be quashed on the basis of compromise.

5. Learned State counsel and learned counsel for respondents No. 2 and 3 have not raised any dispute regarding the factum of compromise. As per statements made by respondents No. 2 and 3 before learned Sub Divisional Judicial Magistrate, Malout, a cheque of Rs. 6,25,000/- was made over to the victim as compensation. Besides that, petitioner also paid Rs. 2,50,000/- incurred on treatment of the victim, who has since attained majority. Learned counsel for the petitioner concedes that the cheque of Rs. 6,25,000/- had been encashed. Since the matter has been amicably resolved, continuation of the criminal proceedings would be an exercise in futility.

6. Following principles of law laid down by the Full Bench Judgment of this Court in "Kulwinder Singh and others Vs. State of Punjab and another" 2007(3) RCR (Criminal) 1052 and Hon'ble Supreme Court in "Gian Singh Versus State of Punjab and others" (2012) 10 SCC 303, the petition is allowed.

7. FIR No. 0051 dated 01.04.2025 under Sections 125(a), 125(b) of the Bharatiya Nyaya Sanhita, 2023 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, Police Station City Malout, District Shri Muktsar Sahib with all the subsequent proceedings arising therefrom, is quashed qua the petitioners.

8. Pending CRM(s), if any, are also disposed of accordingly.