

2025:PHHC:172397



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

241

CRM-M-39018-2023

Date of Decision: 09.12.2025

MANISH KUMAR SHARMA AND OTHERS

... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Vinay Puri, Advocate for Mr. Shivdeep,
Advocate for respondents No.2 and 3.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No.0011 dated 21.01.2022 under Sections 307 IPC (Section 120-B of IPC added later on) registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise.

2. A Coordinate Bench of this Court vide order dated 15.04.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate/trial Court was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Chief Judicial Magistrate, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned Chief Judicial Magistrate has submitted the report bearing endorsement No.445 dated 28.06.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondents No.2 and 3 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. In ***Naushey Ali & Others Versus State of U.P. and Another, 2025 INSC 182 and 2025 SCC Online SC 292***, the Hon'ble Supreme Court has held as under:

“19. Keeping in mind the surrounding circumstances, the nature of the weapon and the nature of the injury, on facts, we are inclined to conclude that the overt act attributed to the appellants does not bring the case within the four corners of the Section 307 of IPC, either on a stand-alone basis or as held above with the aid of Section 149 of IPC.

20. We are also inclined to conclude that considering the overall circumstances, the nature of the weapon and the nature of the injury (fracture of the head of distal phalanx of left ring finger), the offence alleged, on facts, does not fall in that category of cases where the court should deny relief in the event of a settlement. At the highest, the offence alleged could be one under Section 326 of IPC. It could not be said, on facts, considering all the circumstances that this is a crime which has such a harmful effect on the public and that it has the effect of seriously threatening the well-being of the society. We make it clear that we are saying so on the facts of the present case. We are also firmly of the opinion that proceeding with the trial, when parties have amicably resolved the dispute in the present case, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process to let this trial remain pending under the above circumstances, particularly when the dispute is settled and resolved.”

Hence, it could safely be said that criminal proceedings initiated under Section 307 IPC can be quashed if offence so committed has no serious impact on the society and the parties have settled the dispute amicably.

7. Further, finding support from the case law of ***Naushey Ali & Others (supra)*** as well as following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and FIR No.0011 dated 21.01.2022 under Sections 307 IPC (Section 120-B of IPC added later on) registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed qua the petitioners only, on the basis of compromise, subject to payment of costs to the tune of Rs.15,000/- each to be paid with Punjab and Haryana High Court Employees Welfare Association, Chandigarh, Account No.37167209613, State Bank of India, High Court Branch, IFSC Code, SBIN0050306.

DECEMBER 09, 2025.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No