HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 23015 of 2019

Laxmi Narayan @ Pappu

.....Applicant(s)

Versus

State Of U.P.And Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashish, Mata Pher, Neel Mani Sharma, Shiva Kant Dubey
Counsel for Opposite Party(s)	:	Ajai Kumar Srivastava, G.A.

Court No. - 82

HON'BLE JAI PRAKASH TIWARI, J.

1. Supplementary affidavit along with compromise verification report filed on behalf of applicant is taken on record.

2. Heard learned counsel for applicant, Ms. Juhi Srivastava, learned Advocate holding brief of Sri Ajai Kumar Srivastava, learned counsel for the O.P. No.2 as well as the learned AGA for the State and perused the record.

3. This application U/s 482 Cr.P.C. has been filed with the prayer to quash the chargesheet no. 991 of 2018 dated 30.10.2018, cognizance order dated 20.02.2019 as well as entire proceedings of Case No. 2459 of 2018 (State v. Anjana Devi & others), arising out of Case Crime No.1033 of 2018 under Sections 307, 323, 504, 506, 336, I.P.C., P.S. Mathura, District Kotwali, pending before the Additional Chief Judicial Magistrate-I, Mathura.

4. Learned counsel for the applicant submits that the parties have amicably settled their dispute outside the Court and have entered into a compromise, which was also filed along with the present application. It is further submitted that another Application under Section 482 Cr.P.C., bearing No. 41188 of 2024, has been filed on behalf of the other co-accused persons. In the said application, co-ordinate Bench of this Court, vide order dated 06.07.2026, directed the parties to appear before the court concerned for verification of the compromise. In compliance of the

aforesaid order, both the parties including the present applicant appeared before the Court of learned Additional Chief Judicial Magistrate, Court No. 1, Mathura and the said court vide order dated 10.08.2026 verified the compromise entered into between the applicant and opposite party no. 2. A certified copy of the verification order has been annexed as Annexure No. 2 to the supplementary affidavit filed on behalf of the applicant.

5. It is further submitted that the proceedings against the other co-accused persons have already been quashed by the co-ordinate Bench of this Court vide order dated 21.08.2026 passed in Application under Section 482 Cr.P.C. No. 41188 of 2024.

6. Learned AGA has submitted that since the parties have entered into compromise, which has also been verified by the trial court, therefore, no useful purpose would be served if the proceedings of the aforesaid case go on further.

7. Learned counsel for the opposite party No. 2, is also present. He has no objection to the statement, made above.

8. The Hon'ble Apex Court in the case of State of **Madhya Pradesh vs. Laxmi Narayan and others, reported in (2019) 5 SCC 688** has laid down principles for quashing the proceeding on the basis of settlement/compromise. Relevant paragraphs are quoted herein below:-

> *"15. Considering the law on the point and the other decisions of this Court on the point, referred to herein above, it is observed and held as under:*
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> *i) that the power conferred under Section 482 of the Code to quash the criminal proceedings for the non-compoundable offences under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;*
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> *ii) such power is not to be exercised in those prosecutions which involved*

heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society;

iii) similarly, such power is not to be exercised for the offences under the special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender;

iv) offences under Section 307 IPC and the Arms Act etc. would fall in the category of heinous and serious offences and therefore are to be treated as crime against the society and not against the individual alone, and therefore, the criminal proceedings for the offence under Section 307 IPC and/or the Arms Act etc. which have a serious impact on the society cannot be quashed in exercise of powers under Section 482 of the Code, on the ground that the parties have resolved their entire dispute amongst themselves. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to framing the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delegate parts of the body, nature of weapons used etc. However, such an exercise by the High Court would be permissible only after the evidence is collected after investigation and the charge sheet is filed/charge is framed and/or during the trial. Such exercise is not permissible when the matter is still under investigation. Therefore, the ultimate conclusion in paragraphs 29.6 and 29.7 of the decision of this Court in the case of Narinder Singh (supra) should be read harmoniously and to be read as a whole and in the circumstances stated hereinabove;

v) while exercising the power under Section 482 of the Code to quash the criminal proceedings in respect of non-compoundable offences, which are

private in nature and do not have a serious impart on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise etc."

9. In view of the aforesaid facts, since the parties have amicably settled their dispute outside the Court and compromise between the parties has already been verified by the trial court, it is deemed proper and meet the ends of justice that the proceeding of the aforementioned case be quashed.

10. The present 482 Cr.P.C. application stands **allowed**, keeping in view the compromise made by the applicant as well as opposite party no.2. The chargesheet no. 991 of 2018 dated 30.10.2018, cognizance order dated 20.02.2019 as well as entire proceedings of Case No. 2459 of 2018 (State v. Anjana Devi & others), arising out of Case Crime No.1033 of 2018 under Sections 307, 323, 504, 506, 336, I.P.C., P.S. Mathura, District Kotwali, pending before the Additional Chief Judicial Magistrate-I, Mathura is hereby **quashed,** so far as it relates to the applicant herein.

(Jai Prakash Tiwari,J.)

October 29, 2026
KK Patel

Digitally signed by :-
KRISHN KANT PATEL
High Court of Judicature at Allahabad