



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 2215 OF 2026

BETWEEN:

MANJUNATH M @ MANJA @ BOOSA MANJA,
S/O LATE MAHANTESH,
AGED ABOUT 31 YEARS,
R/AT NO. 66/6,
2ND MAIN,
2ND CROSS,
M.S.RAMAIAH CITY,
AREKERE,
MICO LAYOUT,
J.P.NAGAR,
BENGALURU – 560 076.

...PETITIONER

(BY SRI. VIVEKANANDA N., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY PUTTENAHALLI PS,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
HIGH COURT BUILDING,
BENGALURU – 560 001.





2. SRI. NAGENDRA K.,
S/O SHANKAR,
AGED ABOUT 27 YEARS,
C/O RAMACHANDRA HOUSE,
OPP. OF SHANIMAHATMA TEMPLE,
1ST CROSS,
KOTTANURU DINNE,
J.P.NAGARA 7TH PHASE,
BENGALURU – 560 076.

...RESPONDENTS

(BY SRI. K.NAGESHWARAPPA, HCGP FOR R1;
SMT. MANJULA R., ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF THE CR.P.C., PRAYING TO QUASH THE ENTIRE PROCEEDINGS FOR THE OFFENCES PUNISHABLE UNDER SECTION 307 OF THE INDIAN PENAL CODE, 1860 AGAINST THE PETITIONER IN S.C NO.678/2024 ON THE FILE OF LX ADDL. CITY CIVIL AND SESSIONS JUDGE BENGALURU (CCH 61) ARISING OUT OF CRIME NO. 315/2023 OF PUTTENAHALLI POLICE STATION, BENGALURU DISTRICT, IN THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioner is before this Court seeking the following prayers:

"WHEREFORE, the Petitioner above named humbly pray that this Hon'ble Court may be pleased to quash the entire proceedings for the offences punishable under Sections 307 of the Indian Penal Code, 1860 against the petitioner in S.C.No.678/2024 on the file of LX Addl. City Civil and Sessions Judge Bengaluru (CCH 61) arising out of Crime No.315/2023 of Puttenahalli Police station, Bengaluru District, in the interest of justice."

2. Heard Sri.Vivekananda N, learned counsel appearing for the petitioner, Sri. K.Nageshwarappa, learned HCGP appearing for respondent No.1, Smt.Manjula R, learned counsel appearing for respondent No.2 and have perused the material on record.

3. Though the offences is the one punishable under Section 307 of the Indian Penal Code, the facts in the case at hand is that the petitioner and the respondent-Complainant being friends, sat in a bar and restaurant and drank in an inebriated state. Both of them have quarreled and petitioner



has received blows and given blows, same goes with the complainant but the wound certificate indicates that injuries are simple in nature. Now the petitioner has filed application seeking compounding of the offence as obtaining under Section 320(8) read with Section 482 of the Cr.P.C., along with joint affidavit. The joint affidavit reads as follows:

"I, MANJUNATH M @ MANJA @ BOOSA MANJA S/O LATE MAHANTESH, AGED ABOUT 31 YEARS, R/AT NO. 66/6, 2ND MAIN, 2ND CROSS, M.S. RAMAIAH CITY AREKERE, MICO LAYOUT, J P NAGAR, BENGALURU 560076, **NAGENDRA K S/O SHANKAR** AGED ABOUT 27 YEARS, C/O RAMACHANDRA HOUSE, OPP. OF SHANIMAHATMA TEMPLE, 1ST CROSS, KOTTANURU DINNE, J P NAGARA, 7TH PHASE, BENGALURU 560076, **DEEPU**, RESIDING AT B K CIRCLE, J P NAGAR, BENGALURU 560076 AND **GOUTHAM** RESIDING AT B K CIRCLE, J P NAGAR, BENGALURU 560076, do solemnly swear on oath as under:

01. I affirm that I Nagendra K has filed a complaint against Manjunath on 02/10/2023 on an incident that had taken place due to misunderstanding between us on 01/10/2023.

02. The said incident dated 01/10/2023 was a misunderstand between us at the time of a party which has led to the registration of complaint and criminal proceedings.

03. We affirm that we Nagaraja, Deepu and Gautham have not suffered any grievous injuries and since we are all friends we are settling the disputes among us.



04. I, Nagaraja affirm that since we have settled the disputes I am withdrawing all the allegations made against the petitioner.

05. We affirm that we are residents of common area and the incident which has led to the registration of complaint and all subsequent proceedings is an incident that took place at the place of mutual gathering due to mutual misunderstanding and now the issues between us are settled.

06. At the intervention of elders, well-wishers of both parties the matter is settled amicably for the mutual benefit and advantage of both the parties the matter has been settled amicably.

07. We affirm that in view of the settlement entered into between the parties the Respondent No. 2 has no objection to quash the entire proceedings.

08. We jointly affirm that this compromise entered by us is voluntarily and willingly and that there is no fraud or misrepresentation or compulsion or coercion or undue influence or threat played between them. There is also no collusion between us herein in entering into this compromise petition.

09. We affirm that we have read and explained contents of this Compromise, each one understood the Contents, terms of this compromise and have affixed our respective signatures to the same on being satisfied to the same.

10. The above settlement stated in the settlement agreement is in full and final settlement and that neither of the parties is entitled to dispute or reopen the same in future.

WHEREFORE it is prayed that this Hon'ble Court may be pleased to record the terms of the compromise as above



and accept the same as beneficial and advantageous to the parties and further be pleased to allow the petition.

Whatever stated above is true and correct to the best of my knowledge and belief."

4. Since the injuries are simple in nature, it would not attract the ingredients of Section 307 of the Indian Penal Code. In an identical issue, the Apex Court in the case of **STATE OF MADHYA PRADESH VS. LAXMI NARAYAN AND OTHERS¹**, has held as follows:

"12. Now so far as the decision of this Court in Narinder Singh [Narinder Singh v. State of Punjab, (2014) 6 SCC 466 : (2014) 3 SCC (Cri) 54] is concerned, this Court in para 29.6 admitted that the offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, this Court further observed that 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. Its further corroboration with the medical evidence or other evidence is to be seen, which will be possible during the trial only. Hence, the decision in Narinder Singh [Narinder Singh v. State of Punjab, (2014) 6 SCC 466 : (2014) 3 SCC (Cri) 54] shall be of no assistance to the accused in the present case.

13. Now so far as the reliance placed upon the decision of this Court in Shiji [Shiji v. Radhika, (2011) 10 SCC 705 : (2012) 1 SCC (Cri) 101] , while quashing the FIR by observing that as the complainant has compromised with the accused, there is no possibility of recording a conviction, and/or the further trial would be

¹ (2019) 5 SCC 688



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an exercise in futility is concerned, we are of the opinion that the High Court has clearly erred in quashing the FIR on the aforesaid ground. It appears that the High Court has misread or misapplied the said decision to the facts of the cases on hand. The High Court ought to have appreciated that it is not in every case where the complainant has entered into a compromise with the accused, there may not be any conviction. Such observations are presumptive and many a time too early to opine. In a given case, it may happen that the prosecution still can prove the guilt by leading cogent evidence and examining the other witnesses and the relevant evidence/material, more particularly when the dispute is not a commercial transaction and/or of a civil nature and/or is not a private wrong. In Shiji [Shiji v. Radhika, (2011) 10 SCC 705 : (2012) 1 SCC (Cri) 101] , this Court found that the case had its origin in the civil dispute between the parties, which dispute was resolved by them and therefore this Court observed that: (SCC p. 713, para 19)

"19. ... that being so, continuance of the prosecution where the complainant is not ready to support the allegations ... will be a futile exercise that will serve no purpose."

In the aforesaid case, it was also further observed "that even the alleged two eyewitnesses, however, closely related to the complainant, were not supporting the prosecution version", and to that this Court observed and held that the continuance of the proceedings is nothing but an empty formality and Section 482 CrPC can, in such circumstances, be justifiably invoked by the High Court to prevent abuse of the process of law and thereby preventing a wasteful exercise by the courts below. Even in the said decision, in para 18, it is observed as under: (Shiji case [Shiji v. Radhika, (2011) 10 SCC 705 : (2012) 1 SCC (Cri) 101] , SCC p. 713)

"18. Having said so, we must hasten to add that the plenitude of the power under Section 482 CrPC by itself, makes it obligatory for the High Court to exercise the same with utmost care and caution. The width and the nature of the power itself demands that its exercise is sparing and only in cases where the High Court is, for reasons to be recorded, of the clear view that continuance of the prosecution would be nothing but an abuse of the process of law. It is neither necessary nor



proper for us to enumerate the situations in which the exercise of power under Section 482 may be justified. All that we need to say is that the exercise of power must be for securing the ends of justice and only in cases where refusal to exercise that power may result in the abuse of the process of law. The High Court may be justified in declining interference if it is called upon to appreciate evidence for it cannot assume the role of an appellate court while dealing with a petition under Section 482 of the Criminal Procedure Code. Subject to the above, the High Court will have to consider the facts and circumstances of each case to determine whether it is a fit case in which the inherent powers may be invoked."

Therefore, the said decision may be applicable in a case which has its origin in the civil dispute between the parties; the parties have resolved the dispute; that the offence is not against the society at large and/or the same may not have social impact; the dispute is a family/matrimonial dispute, etc. The aforesaid decision may not be applicable in a case where the offences alleged are very serious and grave offences, having a social impact like offences under Section 307 IPC. Therefore, without proper application of mind to the relevant facts and circumstances, in our view, the High Court has materially erred in mechanically quashing the FIR, by observing that in view of the compromise, there are no chances of recording conviction and/or the further trial would be an exercise in futility. The High Court has mechanically considered the aforesaid decision of this Court in Shiji [Shiji v. Radhika, (2011) 10 SCC 705 : (2012) 1 SCC (Cri) 101] , without considering the relevant facts and circumstances of the case.

14. *Now so far as the conflict between the decisions of this Court in Narinder Singh [Narinder Singh v. State of Punjab, (2014) 6 SCC 466 : (2014) 3 SCC (Cri) 54] and Shambhu Kewat [State of Rajasthan v. Shambhu Kewat, (2014) 4 SCC 149 : (2014) 4 SCC (Cri) 781] is concerned, in Shambhu Kewat [State of Rajasthan v. Shambhu Kewat, (2014) 4 SCC 149 : (2014) 4 SCC (Cri) 781] , this Court has noted the difference between the power of compounding of offences conferred on a court under Section 320 CrPC and the powers conferred under Section 482 CrPC for*



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quashing of criminal proceedings by the High Court. In the said decision, this Court further observed that in compounding the offences, the power of a criminal court is circumscribed by the provisions contained in Section 320 CrPC and the court is guided solely and squarely thereby, while, on the other hand, the formation of opinion by the High Court for quashing criminal proceedings or criminal complaint under Section 482 CrPC is guided by the material on record as to whether ends of justice would justify such exercise of power, although ultimate consequence may be acquittal or dismissal of indictment. However, in the subsequent decision in Narinder Singh [Narinder Singh v. State of Punjab, (2014) 6 SCC 466 : (2014) 3 SCC (Cri) 54] , the very Bench ultimately concluded in para 29 as under: (SCC pp. 482-84)

"29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power 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.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape,



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dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the 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.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. 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 proving 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/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the



parties is going to result in harmony between them which may improve their future relationship.

29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime."

15. *Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:*

15.1. *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;

15.2. *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;*

15.3. *Similarly, such power is not to be exercised for the offences under the special statutes like the 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;*

15.4. *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/delicate 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 paras 29.6 and 29.7 of the decision of this Court in Narinder Singh [Narinder Singh v. State of Punjab, (2014) 6 SCC*



466 : (2014) 3 SCC (Cri) 54] should be read harmoniously and to be read as a whole and in the circumstances stated hereinabove;

15.5 [Ed.: Para 15.5 corrected vide Official Corrigendum No. F.3/Ed.B.J./22/2019 dated 3-4-2019.] . 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 impact 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."

16. Insofar as the present case is concerned, the High Court has quashed the criminal proceedings for the offences under Sections 307 and 34 IPC mechanically and even when the investigation was under progress. Somehow, the accused managed to enter into a compromise with the complainant and sought quashing of the FIR on the basis of a settlement. The allegations are serious in nature. He used the firearm also in commission of the offence. Therefore, the gravity of the offence and the conduct of the accused is not at all considered by the High Court and solely on the basis of a settlement between the accused and the complainant, the High Court has mechanically quashed the FIR, in exercise of power under Section 482 of the Code, which is not sustainable in the eye of the law. The High Court has also failed to note the antecedents of the accused.

17. In view of the above and for the reasons stated, the present appeal is allowed. The impugned judgment and order dated 7-10-2013 passed by the High Court in Laxmi Narayan v. State of M.P. [Laxmi Narayan v. State of M.P., 2013 SCC OnLine MP 7987] is hereby quashed and set aside, and the FIR/investigation/criminal proceedings be proceeded against the accused, and they shall be dealt with, in accordance with law."



5. The Apex Court considers whether offence under section 307 could be accepted and closed on a compromise. The Apex Court holds that the injuries should be seen and injuries seen in the case at hand depict that they are simple in nature.

6. The injury sustained by the complainant is said to be simple in nature. Therefore, the wound certificate would depict that the injuries are simple in nature.

7. In that light, there would be no impediment for this Court to close the proceedings by accepting the settlement between the parties.

8. For the aforesaid reasons, the following:

ORDER

- (i) The Criminal Petition is **disposed**.
- (ii) Proceedings in S.C NO.678/2024 pending before the LX Addl. City Civil and Sessions Judge,



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Bengaluru (CCH 61), stands quashed, *qua* the
petitioner.

Sd/-
(M.NAGAPRASANNA)
JUDGE

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