



2026:CGHC:2955-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 207 of 2026

- 1 - Parag Chelwani S/o Chandarlal Totaldas Chelwani Aged About 36 Years
- 2 - Chandarlal Totaldas Chelwani S/o Lt. Totaldas Chelwani Aged About 62 Years
- 3 - Maya Chelwani W/o Chandarlal Totaldas Chelwani Aged About 56 Years

All R/o Plot No. 18, Sindhu Nagar Society, Jaripatka, Nagpur, M.H.

... **Petitioner(s)**

versus

- 1 - State Of Chhattisgarh Through P S Mahila Thana, District Raipur, C.G.
- 2 - X.Y.Z. Nill

...**Respondent(s)**

(Cause-title taken from Case Information System)

For Petitioners	:	Shri Vinay Nagdev, Advocate
For Respondent/State	:	Shri Saumya Rai, Dy AG
For Respondent-2	:	Shri Prakhar Dutt, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Justice Ravindra Kumar Agrawal
Order on Board

Per Ramesh Sinha, Chief Justice
19.01.2026

Heard Shri Vinay Nagdev, learned counsel for the petitioners. Also heard Shri Saumya Rai, learned Dy GA, appearing for the respondent/State, and Shri Prakhar Dutt, learned counsel for the complainant/victim.



1. Present petition has been filed with the following prayer:

“It is therefore, prayed that this Hon’ble Court may kindly be pleased to quash the impugned FIR No.113 of 2023, dated 09.09.2023 registered by PS-Mahila Thana, District-Raipur (CG) for offences u/s 498A, 34, 377 of IPC, the Chargesheet bearing number 85/24 dated 15.08.2024 u/s 498A, 34, 377 of IPC, the Order taking cognizance dated 21.11.2024 and the criminal proceedings pending before the Court of Ld.JMFC, Raipur, CG in Criminal Case No.19638/24 in case titled as “State of CG Vs Parag Chelwani & Ors.,” against the petitioners in the interest of justice.”

2. The case in a nutshell is that the private respondent is the legally wedded wife of petitioner No. 1, namely Parag Chelwani, and their marriage was solemnized in January 2015. Thereafter, according to the complainant, she was coerced and harassed for demand of dowry. However, from a perusal of the written complaint, it is apparent that only omnibus and vague allegations have been made. Despite that, an FIR under Section 498A/34 IPC was registered against the petitioners, who are complainant’s husband and her in-laws.

3. After registration of the FIR, petitioners were granted anticipatory bail by the competent court vide order dated 14.09.2023. However, they



were arrested on 15.10.2023, and they have been released on bail by the learned Sessions court.

4. The charge-sheet was filed against the petitioners, who are husband, father-in-law, and mother-in-law of the private respondent. In adherence to the settlement, the complainant herself moved an application under Sections 320(2) and 320(8) of the CrPC for compounding of the offence; however, since the offences are not compoundable in nature, the said application was rejected. The concerned proceedings, FIR, and charge-sheet are under challenge before this Hon'ble Court in the present CRMP on the basis of compromise, at the behest of the husband and parents-in-law of the complainant. A copy of the agreement executed between the parties has been marked as **Annexure P/2**. A photostat copy of the agreement is being filed, as the original was filed in CRMP No. 3748/25 and now remains on the record of the said case. However, the fact of settlement can be confirmed from perusal of order sheets of the trial pending against the co-accused.

5. Two other accused persons Riya Anandani, and Vijay Anandani, who are sister-in-law, and brother-in-law of the private respondent had filed CRMP-101 of 2026 before this Court, which has been allowed on 14.01.2026, and the proceedings against those accused persons have been quashed. It is pertinent to mention that the parties have amicably settled their disputes and, in furtherance thereof, the complainant herself



is not interested in prosecuting the petitioners. Since the offence is purely of a private nature, arising out of a matrimonial dispute, the same may kindly be quashed in view of the settlement.

6. The aforesaid compromise between the parties took place without any undue influence, threat, or coercion, and an agreement to that effect has been duly executed. It is further submitted that earlier, the petitioners had filed a similar petition CRMP No. 3748/25 for quashing, which was withdrawn with liberty to file afresh subject to payment of cost of INR 5,000/-, which has since been paid. Hence, this petition.

7. Learned counsel for the petitioners submits that the parties have already amicably compromised their dispute and are living separately peacefully, therefore, respondent No.2 does not desire to prosecute the petitioners further. He further submits that the compromise held between the parties is without undue influence, threat or coercion and the complainant / respondent No.2 herself had moved an application under Section 320(2) and 320(8) of the CrPC for compounding, but the said application was rejected by the concerned trial Court.

8. Learned counsel appearing for respondent No.2 could not dispute the fact that the parties have settled their dispute amicably.

9. We have heard learned counsel for the parties and perused the documents annexed with this petition.



10. The Supreme Court in **Gian Singh v. State of Punjab & Another¹** has laid down the following principles :

“61. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim’s family and the offender have settled the dispute.

¹ (2012) 10 SCC 303



Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it



would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.

62. In view of the above, it cannot be said that *B.S. Joshi, Nikhil Merchant and Manoj Sharma* were not correctly decided. We answer the reference accordingly. Let these matters be now listed before the Bench(es) concerned.”

11. The Supreme Court in case of ***B.S.Joshi & Ors. v. State of Haryana & Anr.***² has held as under :

“14. There is no doubt that the object of introducing Chapter XX-A containing Section 498A in the Indian Penal Code was to prevent the torture to a woman by her husband or by relatives of her husband. Section 498A was added with a view to punishing a husband and his relatives who harass or torture the wife to coerce her or her relatives to satisfy unlawful demands of dowry. The hyper-technical view would

² (2003) 4 SCC 675



be counter productive and would act against interests of women and against the object for which this provision was added. There is every likelihood that non-exercise of inherent power to quash the proceedings to meet the ends of justice would prevent women from settling earlier. That is not the object of Chapter XXA of Indian Penal Code.

15. In view of the above discussion, we hold that the High Court in exercise of its inherent powers can quash criminal proceedings or FIR or complaint and Section 320 of the Code does not limit or affect the powers under Section 482 of the Code.”

12. Furthermore, the Supreme Court in the case of **Jitendra Raghuvanshi and others v. Babita Raghuvanshi and another**³ has examined scope of compromise under Section 320 of Cr.P.C. in offence of non-compoundable nature.

13. The Supreme Court referred to various cases and has laid down that in cases of matrimonial matters, court should exercise power under Section 482 of the CrPC (Now Section 528 BNSS) sparingly and only it may exercise when the court is convinced, on the basis of material on record, that allowing the proceedings to continue would be an abuse of process of court or that the ends of justice require that the proceedings ought to be quashed.

³ (2013) 4 SCC 58



14. Considering the fact that the petitioners and respondent No.2 have settled their disputes amicably and respondent No.2 does not want to prosecute the petitioners further, it would be in the interest of justice to quash the impugned FIR No.113/2023 dated 09.09.2023 registered at Police Station Mahila Thana, District Raipur for offence under Section 498A/34 of the IPC, and the entire proceeding of the criminal case- 19638 of 2024 pending before the learned Judicial Magistrate First Class, Raipur, arising out of charge-sheet against the petitioners.

15. For the foregoing reasons, the petition is **allowed** and the impugned FIR No.113/2023 dated 09.09.2023 registered at Police Station-Mahila Thana, District-Raipur for offence under Section 498A/34 and 377 of the IPC, charge-sheet No.85 of 2024, and order taking cognizance dated 21.11.2024 and the proceeding of the Criminal case- 19638 of 2024 against the petitioners, pending before the JMFC Raipur is hereby quashed with respect to the petitioners-Parag Chelwani, Chandarlal Totaldas Chelwani and Maya Chelwani, subject to fulfilment of terms and conditions of compromise entered into between the parties on 11.11.2025 (Annexure P2).

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice