



2026:CGHC:12423-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 351 of 2026

1 - Smt. Manisha Sahu @ Pinky W/o Rajeshwar Sahu, Aged About 30 Years R/o Dau Choura Khairagarh Dewangan Mohalla, P.S.Khairagarh, Hall Baikunth Dham Camp-2 Near Murkatta School Police Station Chhawani District Durg Chhattisgarh Mo. No.7880046718

2 - Manish Kumar Sahu, S/o Vishnu Sahu, Aged About 35 Years R/o Baikunth Dham Camp-2 Near Murkatta School Police Station Chhawani District Durg Chhattisgarh Mo. No.9691167022

3 - Mukesh Sahu, S/o Vishnu Sahu, Aged About 31 Years R/o Baikunth Dham Camp-2 Near Murkatta School Police Station Chhawani District Durg Chhattisgarh Mo. No.7415044109, 8982380197

4 - Vishnu Sahu, S/o Late Sampat Sahu, Aged About 57 Years R/o Baikunth Dham Camp-2 Near Murkatta School Police Station Chhawani District Durg Chhattisgarh Mo. No.7880046718

5 - Smt. Sharada Sahu, W/o Vishnu Sahu, Aged About 50 Years R/o Baikunth Dham Camp-2 Near Murkatta School Police Station Chhawani District Durg Chhattisgarh Mo. No.7880046718

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Superintendent Of Police, P.S.Rajnandgaon, District Rajnandgaon Chhattisgarh

2 - Station House Officer, Rajnandgaon, District Rajnandgaon Chhattisgarh

3 - Rajeshwar @ Raja Sahu, S/o Bhajan Das Sahu, Aged About 33 Years R/o Lakoli Ward No. 36, Near Sadguru Medical Police Station Kotwali, District Rajnandgaon Chhattisgarh Mo. No. 8319982543

... Respondent(s)

For Petitioner(s) : Mr. T.K. Jha, Advocate

For Respondent(s) : Mr. Shailendra Sharma, Panel Lawyer

Division Bench:

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

16.03.2026

1. This petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short B.N.S.S.) has been preferred by the petitioners, who are the wife and in-laws of the Respondent No. 3/ complainant, with the following prayer:-

“It is, therefore, most humbly prayed that this Hon'ble court may kindly be pleased to allow the petition and quash the FIR No.0045 of 2025, along with taking cognizance dated 30.10.2025 and Chargesheet No. 258/25 & Criminal Case

no. 8576 of 2025 u/s 296, 115(2), 351(2), 191(2) and 310(2) of BNS, 2023 pending in the Court of Additional Sessions Judge (ST No115 of 2025), Rajnandgaon against the petitioners, in the interest of justice.”

2. The case of the prosecution, in brief, is that the Respondent No. 3 (husband), Rajeshwar Raju Sahu, lodged FIR No. 45/2025 on 27.01.2025 at Police Station City Kotwali, Rajnandgaon, alleging that after returning home to Village Lakholi (District Rajnandgaon) from attending proceedings in a case filed by his wife Manisha Sahu (Petitioner No. 1) under the Protection of Women from Domestic Violence Act, 2005 at Durg, the petitioner along with her parents and two brothers came to his house, forcibly entered and stated that they would take the articles given in dowry at the time of marriage. It was alleged that they took away various articles including a washing machine, a trunk containing about 21–22 sarees, marksheets, his mother’s gold earrings, silver anklets, a key ring and ₹40,000/- in cash, and also assaulted the family members while loading the articles into Truck No. CG-07-CA-0141. On dialing 112, the police arrived and on the basis of the oral complaint the said FIR was registered under Sections 296, 115(2), 351(2) and 191(2) of the Bharatiya Nyaya Sanhita, 2023. During investigation, the SHO issued notice to the petitioners on 28.06.2025 to produce the articles and the truck; however, the petitioners stated that the articles belonged to the dowry given at the time of marriage and denied commission of any offence. Subsequently, the police added Section 310(2) of BNS, 2023 and filed

a chargesheet on 30.10.2025 before the Court of Chief Judicial Magistrate, Rajnandgaon, where it was registered as Criminal Case No. 8676/2025

3. During the pendency of the said criminal case, this Court vide its order dated 06/02/2026 directed the parties explore the possibility to settle their dispute by way of mediation and enter into the compromise. Thereafter, on 19.02.2026, they have present before the mediation center and have settled the terms and conditions of compromise.

4. Learned counsel for the State, in turn, submits that the State has no objection in case if the matter is disposed of by quashing the FIR No.0045 of 2025, along with taking cognizance dated 30.10.2025 and Chargesheet No. 258/25 & Criminal Case no. 8576 of 2025 u/s 296, 115(2), 351(2), 191(2) and 310(2) of BNS,2023 pending in the Court of Additional Sessions Judge (ST No115 of 2025), Rajnandgaon against the petitioners, as the parties have already entered into compromise.

5. The conditions of compromise is necessary to reproduce here for consideration which is as below:-

1. यह कि याचिकाकर्ता क्रमांक-1 श्रीमती मनीषा साहू @ पिंकी उत्तरवादी क्रमांक- 3 राजेश्वर साहू @ राजा साहू से स्वयं एवं अपनी बच्ची मोनिशका साहू के लिए भरण-पोषण भत्ता के बिना आपसी सहमति से विवाह विच्छेद के लिए तैयार हैं। इस हेतु आवेदन पत्र सक्षम कुटुंब न्यायालय में तीन माह के भीतर प्रस्तुत करेंगे।
2. भविष्य में याचिकाकर्ता क्रमांक-1 श्रीमती मनीषा साहू @ पिंकी किसी भी प्रकार से उत्तरवादी क्रमांक-3 राजेश्वर साहू @ राजा साहू की पैतृक संपत्ति पर दावा नहीं करेगी।
3. यह कि राजेश्वर साहू @ राजा साहू के विरुद्ध सत्र न्यायालय दुर्ग छत्तीसगढ़ में प्रकरण क्रं आरसीसी/15001/2022, कुटुंब न्यायालय दुर्ग छत्तीसगढ़ में प्रकरण क्रं एमजेसी

किमिनल/488/2023, सत्र न्यायालय दुर्ग छत्तीसगढ़ प्रकरण कं एमजेसी किमिनल/1093/2024, और सत्र न्यायालय राजनंदगांव छत्तीसगढ़ प्रकरण कं आरसीसी/6885/2025, को याचिकाकर्ता कमांक-1 श्रीमती मनीषा साहू @ पिकी तीन माह के भीतर वापस लेकर समाप्त करायेगी।

4. सीआरएमपी कं [351/2026](#) में की गई प्रार्थना कि याचिकाकर्ता कं 01, उनके माता-पिता एवं भाईयों पर दर्ज प्रकरण समाप्त किया जावे, स्वीकार की जावे।

5. यह कि उपरोक्त शर्तों को पूर्ण नहीं करने पर दोनो पक्षकार एक दूसरे के विरुद्ध कानूनी कार्यवाही करने के लिए स्वतंत्र होंगे।

6. In view of the conditions of compromise made between the parties, this Court is of the opinion that once when the complainant and the accused have settled their matter and buried the dispute and differences, it would be an important consideration for the High Court while exercising the powers under Section 482 CrPC to compound the offence. The opinion of this Court stands fortified from the judgment of the Supreme Court in the case of **Gian Singh v. State of Punjab & Another** [2012 (10) SCC 303] and also in the case of **Narinder Singh & Others v. State of Punjab & Another** [2014 (6) SCC 466]

7. In the case of **Gian Singh (supra)** Apex Court held as under:-

57. 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. 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 pre-dominantly 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.

8. The Hon'ble Supreme Court in the case of **Narinder Singh & Ors. v. State of Punjab & Another** [2014 (6) SCC 466], has been held as under;-

“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.....”

9. Another aspect which has to be borne in mind is that the parties to the dispute having entered into a settlement and compromised the matter, there is a minimal chance of the complainant coming forward in support of the prosecution case and the chances of conviction therefore appear to be very remote and it would not be justified to drag these proceedings unnecessarily knowing fully well the final outcome.

10. In view of the statement made by the complainant and the accused persons and also keeping in view the law laid down by the Supreme Court in the case of **B. S. Joshi & others v. State of Haryana & Another** (2003 (4) SCC 675) and in the case of **Gian Singh** (supra) and **Narinder Singh** (supra), this Court is of the opinion that it is a fit case where the parties can be permitted to compound the offence.

11. Accordingly, the present petition under Section 582 of B.N.S.S. is allowed. In view of the compromise arrived at between the parties, the FIR No.0045 of 2025, along with taking cognizance dated 30.10.2025

and Chargesheet No. 258/25 & Criminal Case no. 8576 of 2025 u/s 296, 115(2), 351(2), 191(2) and 310(2) of BNS, 2023 pending in the Court of Additional Sessions Judge (ST No115 of 2025), Rajnandgaon against the petitioners is hereby quashed subject to fulfillment of terms and conditions of the compromise entered into between the parties on 19.02.2026.

12. The present petition under Section 528 of B.N.S.S. is allowed to the extent indicated hereinabove.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice