



2026:CGHC:17805-DB

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**CRMP No. 652 of 2026**

**1** - Aman Sahu S/o Sanjay Sahu Aged About 26 Years, R/o House No. 146, Near Shanti Nikatam College, Govindgarh, Near Mahek Colony, Kamptee Road, Uppalwadi, Nagpur, Maharashtra

**2** - Sanjay Sahu S/o Late Kammulal Sahu, Aged About 55 Years, R/o House No. 146, Near Shanti Nikatam College, Govindgarh, Near Mahek Colony, Kamptee Road, Uppalwadi, Nagpur, Maharashtra

**... Petitioners**

**versus**

**1** - State of Chhattisgarh Through- The Station House Officer, Mahila Thana, Bilaspur, District- Bilaspur (C.G.)

**2** - Varsha Sahu W/o Aman Sahu, Aged About 25 Years, Presently Residing At- C/o Deepak Sahu, Ward No. 43, Near Kali Mandir, Ramayana Chowk, Chantidih, Police Station Sarkanda, District Bilaspur, Chhattisgarh (Complainant In The Instant Crime)

**... Respondents**

(Cause title taken from Case Information System)

|                 |                                        |
|-----------------|----------------------------------------|
| For Petitioners | : Mr. Shashwat Gupta, Advocate.        |
| For State       | : 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**

**20-04-2026**

1. This petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short B.N.S.S.) has been preferred by the petitioners with the following prayer:-

“It is, therefore, prayed that this Hon’ble Court may kindly be pleased to allow the instant petition and consequently quash the F.I.R. no. 56/2025 registered at the Police Station Mahila Thana, Bilaspur, District - Bilaspur (C.G.) by the Respondent No. 2 on 01.11.2025 for offence punishable under Sections 85, 115(2), and 3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.), and further quash and all consequential proceedings (if any) arising out of the said crime number in the interest of justice.

And/or any other relief/ relief’s which this Hon’ble Court may think fit and proper in the facts and circumstances of the case may please be also granted to the petitioners in the interest of justice.”

2. The brief facts of the case are that, the marriage between petitioner No. 1 and respondent No. 2 was solemnized on 23.01.2025 in accordance with Hindu rites and customs. After some time of marriage matrimonial disputes arose between the parties. Thereafter, the complainant/respondent No.2 made a written complaint to police against the petitioners who are her husband and father-in-law. In her complaint she made allegations regarding demand of dowry, mental

and physical cruelty as well as physical assault, against the petitioners. On such complaint made by the respondent No.2 the police has registered FIR bearing Crime No.56/2025 on 01.11.2025 against the petitioners for the offence punishable under Sections 85, 115(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.') at Police Station Mahila Thana, Bilaspur, District Bilaspur (C.G.).

**3.** This Court vide its order dated 18.03.2026 directed the parties to explore the possibility to settle their dispute by way of mediation and enter into the compromise. Thereafter, on 16.04.2026, they make their presence before the mediation center and have settled the dispute on the terms and conditions of compromise.

**4.** Learned counsel for the petitioners submits that the parties have settled their dispute and entered into compromise before the Mediation Center on 16.04.2026. He also submits that the charge sheet has been filed in the present matter.

**5.** 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 (Crime No.56/2025) registered at Police Station- Mahila Thana, Bilaspur (C.G.) and all the subsequent proceeding arising therefrom against the petitioners, as the parties have already entered into compromise.

**6.** The conditions of compromise, as per settlement agreement between the parties dated 16.04.2026, is necessary to reproduce here for consideration which is as below:-

“1. यह कि अपीलार्थी श्री अमन साहू एवं उत्तरवादी श्रीमति वर्षा साहू के मध्य राशि **3,50,000/- (तीन लाख पचास हजार रुपये)** रुपये में आपसी सहमति से तलाक के लिए सहमति हुई, उक्त **3,50,000/- (तीन लाख पचास हजार रुपये)** में से **1,00,000/- (एक लाख रुपये)** दिनांक 06.04.2026 को नकद मध्यस्थता केंद्र हाईकोर्ट बिलासपुर से उत्तरवादी श्रीमति वर्षा साहू को प्राप्त हो गये है, शेष राशि **2,50,000/- (दो लाख पचास हजार रुपये)** 15 जून 2026 तक डी. डी. के माध्यम से अथवा यूपीआई/आरटीजीएस के माध्यम से अपीलार्थी श्री अनन साहू उत्तरवादी श्रीमति वर्षा साहू को भुगतान करेगा।

2. यह कि उत्तरवादी श्रीमति वर्षा साहू को विवाह के समय उसके माता पिता, परिवारजन एवं ईष्टमित्रों द्वारा उपहार में दिये गये उपहार एवं घरेलू समान जो भी अपीलार्थी श्री अमन साहू के पास आज जिस स्थिति में हो पूरा समान अपीलार्थी श्री अमन साहू द्वारा उत्तरवादी श्रीमति वर्षा साहू को 15 जून 2026 के पहले भारतीय रेल्वे में बुक कराकर बिलासपुर भेजवायेगा। उभयपक्षों के द्वारा एक दूसरे को समानों की एक लिस्ट दी गई है, जिसकी उपलब्धता के आधार पर उभय पक्ष एक दूसरे को समान का अदान प्रदान करेंगे एवं जानकारी उत्तरवादी श्रीमति वर्षा साहू को पूर्व में देगा उक्त समान बिलासपुर पहुंचने के बाद सम्पूर्ण जिम्मेदारी उत्तरवादी श्रीमति वर्षा साहू की होगी।

3. यह कि उपरोक्त कंडिका 2 के समान के लिए उत्तरवादी श्रीमति वर्षा साहू को स्वयं उपस्थित होकर ले जाने को कहा गया जिस पर सहमति बनी की अपीलार्थी श्री अमन साहू स्वयं भेजवा दे।

4. यह कि उभयपक्ष आज तिथि के बाद एक दूसरे के विरुद्ध चल रहे न्यायालयीन मामले को स्वयं माननीय न्यायालय में आवेदन दे कर निरस्त करायेगे एवं भविष्य में एक दूसरे के प्रति कोई भी मामला किसी भी न्यायालय में प्रस्तुत नहीं करेंगे।

5. यह कि उभयपक्षों का एक दुसरे की संपत्ति पर आज दिनांक से कोई हक व अधिकार नहीं होगा साथ ही दोनों एक दूसरे के जीवन में कोई दखल नहीं देंगे।

6. उभयपक्ष शर्त कंडिका एक के अनुसार 2,50,000/- (दो लाख पचास हजार रुपये) प्राप्त कर प्राप्ति दिनांक को अथवा अवकाश होने पर अगली तिथि पर आपसी सहमति से सक्षम न्यायालय तलाक हेतु आवेदन प्रस्तुतकर विधिवत् तलाक की डिकी प्राप्त करेंगे

7. यह कि, उपरोक्त शर्तों का पालन नहीं किये जाने की स्थिति में उभय पक्षकार विधिक कार्यवाही किये जाने के लिये स्वतंत्र रहेंगे।

उभयपक्ष इस समझौता पत्र की शर्तों से सहमत हैं एवं पालन के लिए कटिबद्ध हैं समझौता पत्र में दी गई शर्तों को उन्होंने अपनी स्वयं की स्वेच्छापूर्वक सहमति एवं बिना किसी दबाव, भय एवं लालच के स्वीकार किया गया है। उभयपक्ष ने इस समझौता पत्र की शर्तों को पढ़ने व समझने के पश्चात अपनी स्वतंत्र सहमति से परस्पर एक-दूसरे की उपस्थिति में हस्ताक्षर कर निष्पादित किया।

समझौतेनामे की छायाप्रति उभयपक्ष को प्रदान की गई है।”

7. 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/ 528 of BNSS 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]

8. 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.*

9. The Hon'ble Supreme Court in the case of **Narinder Singh & Ors. v. State of Punjab & Another** [2014 (6) SCC 466], has 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.....”

10. 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.

11. 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.

**12.** 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 First Information Report bearing Crime No. 56/2025 registered at Police Station Mahila Thana, Bilaspur, District Bilaspur (C.G.) for the offence punishable under section 85, 115(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 on 01.11.2025, the charge sheet filed in connection with the aforesaid crime number and all consequential proceedings arising therefrom against the petitioners are hereby quashed subject to fulfillment of terms and conditions of the compromise entered into between the parties on 16.04.2026.

**13.** 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