



2026:CGHC:15237-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRMP No. 808 of 2026**

1 - Vasu Chakravarty S/o Late Shri A.K. Chakravarty Aged About 70 Years R/o M.I.G. 06, Shankar Nagar, Raipur, District Raipur, Chhattisgarh

2 - Smt. Tusha Chakravarty W/o Shri Vasu Chakrawarty Aged About 67 Years R/o M.I.G. 06, Shankar Nagar, Raipur, District Raipur, Chhattisgarh

3 - Ankit Chakravarty S/o Shri Vasu Chakravarty Aged About 38 Years R/o M.I.G. 06, Shankar Nagar, Raipur, District Raipur, Chhattisgarh

... Petitioners**versus**

1 - State of Chhattisgarh Through Station House Officer, Mahila Thana, Raipur (C.G.)

2 - Shrishti Sharma Chakravarty D/o Late Shri Shrikant Sharma Aged About 36 Years R/o 20/7, Phase II, Wood Island Society, Amleshwar, Tehsil Patan, District Durg, Chhattisgarh

... Respondents

For Petitioner(s)	:	Mr. Abhyuday Singh, Advocate
For Respondent No.1/State	:	Mr. Priyank Rathi, Govt. Advocate
For Respondent No.2	:	Mr. Yashkarn Singh, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Ravindra Kumar Agrawal, Judge****Order on Board****Per Ramesh Sinha, C.J.****02.04.2026**

1. Heard Mr. Abhyuday Singh, learned counsel for the petitioners.

Also heard Mr. Priyank Rathi, learned Government Advocate,



appearing for the State/respondent No.1 and Mr. Yashkarn Singh, learned counsel, appearing for respondent No.2.

2. The present petition under Section 528 of BNSS has been preferred by the petitioners for quashing the criminal proceedings of Criminal Case No. 13938/2024 pending before the Judicial Magistrate First Class, Raipur on the basis of compromise entered into between the parties.
3. Learned counsel for the petitioners submitted that the entire FIR was an afterthought, after the petitioner No.3, who is husband of the complainant/respondent No.2 lodged a complainant of being threatened by the complainant and her family, the same was lodged by the respondent No.2 in furtherance of a settlement with the petitioners. He further submitted that in the meanwhile the complainant had filed an application under Section 13 of the Hindu Marriage Act, 1955 thus seeking divorce on grounds of cruelty, was allowed by the Learned Family Court, without any order upon alimony upon finding the allegations levelled by the complainant to be baseless and the said order was challenged by the complainant before this Hon'ble Court in F.A.(MAT) No. 182/2024, whereby the matter was referred for mediation and the mediation was successful. As such, the Petitioner No. 3 agreed to pay Rs. 25,00,000/- as a one-time settlement to the complainant and complainant agreed to withdraw all the pending cases against the petitioner No. 3, explicitly including the impugned proceedings bearing Criminal Case No. 13938/2024 registered under Section



498-A of the IPC. He also submitted that disputes between the parties have been settled through mediation and the parties have already resolved the dispute amicably and the Petitioner No. 3 has complied his part of the decree. Thus, keeping the Criminal Case pending against the petitioners would be futile exercise and would only lead to their turmoil.

4. Learned counsel, appearing for the respondent No.2 also admitted the said fact.
5. We have heard learned counsel for the parties and considered their rival submissions made herein-above and went through the record with utmost circumspection.
6. 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

1 (2012) 10 SCC 303



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-dominatingly 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."

7. The Supreme Court in ***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

2 (2003) 4 SCC 675



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 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.”

8. 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.
9. 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 Cr.P.C. (now 528 of 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.
10. Considering the fact that the petitioner No.3 and respondent No.2 have settled their disputes through mediation and they have already resolved the dispute amicably and the petitioner



2026:CGHC:15237-DB

No.3 has complied his part of the decree, it would be in the interest of justice to quash the impugned charge-sheet dated 31.12.2022 and further criminal proceedings in Criminal Case No. 13938/2024 pending before the Court of Judicial Magistrate First Class, Raipur.

11. For the foregoing reasons, the petition is **allowed** and the impugned charge-sheet dated 31.12.2022 and further criminal proceedings in Criminal Case No. 13938/2024 pending before the Court of Judicial Magistrate First Class, Raipur are hereby set aside.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice