



2026:CGHC:18510-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 1144 of 2026**

1 - Akash Tiwari (Husband) S/o- Shri Rakesh Tiwari Aged About 32 Years R/o- Yadunandan Nagar, Tifra, Tehsil and District- Bilaspur (C.G.)

2 - Rakesh Tiwari (Father) S/o- Krisna Kumar Tiwari Aged About 56 Years R/o- Siddhivinayak Nagar, Infront of Ashapuram, Behind, Kashyap Kirana Store, Tifra Bilaspur (C.G.) (not mentioned in the impugned order sheet)

3 - Priti Tiwari (Mother) W/o- Rakesh Tiwari Aged About 59 Years R/o- Siddhivinayak Nagar, Infront of Ashapuram, Behind, Kashyap Kirana Store, Tifra Bilaspur (C.G.) (not mentioned in the impugned order sheet)

4 - Aditya Tiwari (Brother) S/o- Rakesh Tiwari, Aged About 29 Years R/o- Siddhivinayak Nagar, Infront of Ashapuram, Behind, Kashyap Kirana Store, Tifra Bilaspur (C.G.) (not mentioned in the impugned order sheet)

... Petitioners**versus**

1 - State of Chhattisgarh Through Police Station Sakri, District- Bilaspur (C.G.)

2 - Smt. Anjali Tiwari W/o- Akash Tiwari Aged About 30 Years D/o- Pradeep Sharma, R/o- Devnagar Koni, P.S. Koni, District- Bilaspur (C.G.)

... Respondents



For Petitioners	:	Mr. Virendra Verma, Advocate
For Respondent No.1/State	:	Mr. Sourabh Sahu, Panel Lawyer
For Respondent No.2	:	Mr. Rishabh Dev Singh, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, C.J.

23.04.2026

1. Heard Mr. Virendra Verma, learned counsel for the petitioner.
Also heard Mr. Sourabh Sahu, learned Panel Lawyer, appearing for the State/respondent No.1 and Mr. Rishabh Dev Singh, learned counsel, appearing for respondent No.2.
2. The present petition under Section 528 of BNSS has been preferred by the petitioners with the following prayers :-

"i. That, the Hon'ble Court may kindly be pleased to allow the instant petition under section 528 of B.N.S.S. 2023 filed by the petitioner, in the interest of justice.

ii. The Hon'ble Court may kindly be pleased to quash the F.I.R. in crime no. 116/2024 registered at police station Sakri, District Bilaspur for the offence committed under section 498A and 34 of I.P.C. in the interest of justice.

iii. That, this Hon'ble Court may kindly be pleased to quash the charge sheet bearing no. 104/2024 on 16.03.2024 filed before the JMFC wherein the cognizance taken by the JMFC Bilaspur on dated 18.03.2024 in criminal case no. 1524/2024 for the



offence committed under section 498-A and 34 of I.P.C. in the interest of justice.

iv. That, this Hon'ble Court may kindly be pleased to quash the in which the charges has been framed on dated 08.07.2024 and matter was fixed for evidence on 28.05.2026 in which both the party has compromised on dated 19.03.2026, in the interest of justice."

3. The brief facts of the case, in nutshell, are that the petitioner No.1 and the respondent No.2 have solemnized their marriage on 11.06.2023 at Ratanpur Mahamaya Temple as per Hindu ritual. The respondent No.2 has went to her matrimonial house and wherein she resided for 2-3 days due to some matrimonial dispute she came to her parental house and has lodged an FIR in crime No. 116/2024 for the offence committed under section 498A and 34 of I.P.C. at Police Station Sakri against her husband and his family members and out of that counter blast, the petitioner No.1 has also filed an application for seeking divorce. The charge sheet bearing No. 104/2024 has been filed on 16.03.2024 before the JMFC, Bilaspur wherein the cognizance has been taken by the learned Magistrate on dated 18.03.2024 in Criminal Case No.1524/2024 for the offence committed under section 498-A and 34 of I.P.C. in which the charges has been framed on dated 08.07.2024 and matter was fixed for evidence on 28.05.2026. During the pendency of the trial, both the parties agreed to compromise and amicably settle their dispute and the petitioner No.1 on the assurance of the respondent No.2 has executed a



compromise deed dated 19.03.2026. The copy of compromise deed is filed herewith as ANNEXURE P/3. The petitioner No.1 and the respondent No.2 have moved an application under section 320(1) of Cr.P.C. to compromise their matter but the same has been rejected by the learned trial Court on dated 25.02.2026 on the ground that same is not compoundable offence. The copy of order dated 25.02.2026 is filed herewith as ANNEXURE P/2, which is under challenged. The petitioner No.1 and respondent No.2 have filed an application under 13B of Hindu Marriage Act dated 19.03.2026, which is registered as CS/HMC 193/2026 in which the matter is sent for mediation Center and the parties have agreed to settle their dispute. The copy of application under section 13B of Hindu Marriage Act, order dated 19.3.2026 and settlement agreement (Mediation Case No. 795/25 &MJC Criminal/1335/2024) are filed herewith as ANNEXURE P/4.

4. Learned counsel for the petitioners submits that the petitioner No.1 and respondent No.2 have amicably settled all their disputes and differences outside the Court and the complainant does not wish to pursue the criminal proceedings any further. It is submitted that the petitioners have moved an application under Section 320(1) of Cr.P.C. for compounding the matter before the trial Court, but the trial Court has rejected the same stating that the offence in question is not compoundable under Section 320(1) CrPC, which is unjustified.



5. Learned counsel appearing for respondent No. 2/complainant fairly concedes to the submissions advanced on behalf of the petitioners and submits that Respondent No. 2 has no objection if the impugned FIR and consequential proceedings are quashed.
6. Upon consideration of the submissions advanced by the learned counsel for the parties, the nature of allegations and the fact that the parties have amicably settled their dispute and the and the petitioner No.1 on the assurance of respondent No.2 has executed a compromise deed dated 19.03.2026, this Court is of the view that no fruitful purpose would be served by allowing the criminal proceedings to continue. The dispute between the parties appears to be personal in nature and does not involve any overriding public interest. The principles laid down by the Hon'ble Supreme Court in *Gian Singh v. State of Punjab*, reported in *(2012) 10 SCC 303*, and *Narinder Singh v. State of Punjab*, reported in *(2014) 6 SCC 466*, are applicable to the facts of the present case. The Hon'ble Supreme Court has held that the High Court, in exercise of its inherent powers under Section 482 of the Cr.P.C. (now 528 of the BNSS), may quash criminal proceedings involving non-compoundable offences where the parties have amicably resolved their dispute and continuation of proceedings would amount to abuse of the process of law.
7. In view of the aforesaid legal position and the undisputed fact of settlement between the parties, the present petition deserves to be and is hereby **allowed**.



8. Accordingly, FIR bearing Crime No. 116/2024 registered at Police Station SAKri, District Bilaspur, for offences punishable under Sections 498A and 34 of the IPC along with all consequential proceedings arising therefrom including Criminal Case No. 1524/2024 pending before the Court of Judicial Magistrate First Class, Bilaspur, are hereby quashed.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice