



2026:CGHC:21047-DB
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1245 of 2026

1 - Swapnil Mittal S/o Shri Suresh Mittal Aged About 39 Years Partner Of M/s S M Shop, R/o D6 Sector-2, Agroha Society Behind Rewa Showroom, Raipura, Raipur District Raipur Chhattisgarh

2 - Garima Sharma W/o Swapnil Mittal Aged About 39 Years Partner Of M/s S M Shop, S/o Shri Suresh Kumar Mittal R/o D 6 Sector-2, Agroha Society Behind Rewa Showroom, Raipura, Raipur District Raipur Chhattisgarh

3 - Suresh Mittal S/o Prahalad Mittal Aged About 67 Years Partner Of M/s S M Shop, R/o D 6 Sector-2, Agroha Society Behind Rewa Showroom, Raipura, Raipur District Raipur Chhattisgarh

4 - Piyush Rathi S/o Shri Suresh Kumar Rathi Aged About 39 Years R/o House No. 15/887, Mamta Hospital, Jawahar Nagar, District Raipur Chhattisgarh

5 - Vikram Singh S/o Shri Ramashray Singh Aged About 37 Years R/o E-70, Sankalp Vatika, Samta Colony Raipur, District Raipur Chhattisgarh

6 - Smt. Neha Singh W/o Vikram Singh Aged About 34 Years R/o E-70, Sankalp Vatika, Samta Colony Raipur, District Raipur Chhattisgarh

... Petitioners

versus

1 - State of Chhattisgarh Through The Station House Officer, Police Station Azad Chowk, Raipur Chhattisgarh

2 - Nutan Ispat And Power Pvt Ltd Director Saurabh Tola Address 401, Laxora Apartments Mowa Pandri Raipur Distt Raipur

---- Respondents

(Cause-title taken from Case Information System)



For Petitioners	:	Mr. Akhand Pratap, Advocate
For State/Respondent No.1	:	Mr. Ashish Shukla, Additional Advocate General
For Respondent No.2	:	Mr. Prashant Sahu, Advocate

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

Order on Board

Per Ramesh Sinha, Chief Justice

06.05.2026

- 1 Heard Mr. Akhand Pratap, learned counsel for the petitioners.
Also heard Mr. Ashish Shukla, learned Additional Advocate General, appearing for the State/respondent No.1 as well as Mr. Prashant Sahu, learned counsel appearing for private respondent No.2.
- 2 The petitioners have filed the instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') with the following prayers:-

“(i) Quash and set aside the impugned order of cognizance dated 11.11.2022 and order dated 22.03.2024 passed by the learned Judicial Magistrate First Class, Raipur, in Criminal Case No. 15628/2022 whereby cognizance of offence U/s 120B,420,201 IPC has been taken. to the extents it relates to the present petitioners.

(ii) Quash the charge sheet no 234/2022 and supplementary charge sheet no 234A/2023



filed in FIR No. 167/2022, under Sections 120B and 420,201 of the Indian Penal Code, by police station Azad Chowk Raipur District Raipur (C.G.) to the extents it relates to the present petitioners.

(iii) Consequently, quash and set aside the entire criminal proceedings of criminal case no 15628/2022 arising out of FIR No. 167/2022, under Sections 120B and 420,201 between the parties (state of CG V/S Santosh @ Bunty Sahu and others) pending before the learned Judicial Magistrate First Class, Raipur District Raipur (C.G.) on the basis of compromise to the extents it relates to the present petitioners.

(iv) Pass such other and further orders as this Hon'ble Court may deem fit, proper, and just in the facts and circumstances of the case."

- 3** Learned counsel for the petitioners submits that the present case arises out of a purely commercial transaction between the parties, which has been wrongly given a criminal colour. It is contended that FIR No. 166/2022 dated 09.06.2022 registered at PS Azad Chowk, Raipur under Section 420 IPC is based on business dealings between the petitioners and the complainant firm, wherein long-standing trade relations existed and regular transactions were being conducted in the normal course of business. It is submitted that goods in question, i.e., TMT steel bars, were supplied between 28.03.2022 to 28.04.2022, and the alleged non-payment of Rs. 1,29,06,935/- arose due to non-



realisation of dues from further purchasers, namely M/s Rampal Steel, Kabeer Steel, and Santosh Steel, Nagpur. It is further submitted that despite repeated follow-ups, payments from such third parties were not received, which resulted in consequential delay in clearing dues of the complainant, and a legal notice was already issued on 05.06.2022.

- 4 Learned counsel further submits that the investigation did not reveal any dishonest intention or criminal misappropriation on the part of the petitioners, and even then a charge-sheet was filed without proper appreciation of the commercial nature of the dispute. It is argued that the learned Magistrate has mechanically taken cognizance, resulting in grave miscarriage of justice. It is also submitted that multiple FIRs of identical nature have been registered at different places in a coordinated manner, allegedly at the instance of influential persons of the complainant side, thereby demonstrating abuse of the criminal process to exert pressure upon the petitioners in a civil dispute.
- 5 Learned counsel further submits that the parties had long-standing business relations without any prior dispute, and the present proceedings are an attempt to convert a purely civil liability into a criminal offence. It is additionally pointed out that in similar matters arising out of the same transactions, this Court has already granted interim protection/quashing relief. Lastly, it is submitted that the dispute has been amicably settled between the



parties vide compromise agreements dated 02.12.2025 for a consolidated amount of Rs. 13,56,000/-, which has been accepted in full and final settlement. The complainant has also agreed not to pursue any further claims and to cooperate in quashing of the proceedings. In view of the settlement and absence of any surviving dispute, continuation of the criminal proceedings would amount to an abuse of process of law, and therefore the FIR, charge-sheet, and consequential proceedings deserve to be quashed.

- 6 Learned counsel appearing for respondent No. 2 fairly concurs with the submissions advanced by learned counsel for the petitioners and submits that the dispute between the parties has been amicably settled, and in view of the compromise arrived at, he has no objection if the proceedings are brought to an end in accordance with law.
- 7 We have heard learned counsel for the parties and perused the documents appended with this petition.
- 8 From perusal of the record, it transpires that the dispute between the petitioners and respondent No. 2 arises out of FIR No.166/2022 dated 09.06.2022 registered at Police Station Azad Chowk, Raipur, for offences under Section 420 of the IPC, which pertains to alleged non-payment of consideration in a commercial transaction relating to supply of TMT steel bars. It further appears that during the pendency of the proceedings, both the petitioners



and respondent No. 2 have amicably resolved their disputes through four independent settlement agreements dated 02.12.2025, whereby the entire dispute has been finally settled for a consolidated amount of Rs. 13,56,000/-, which has been accepted by respondent No. 2 in full and final satisfaction of all claims.

- 9 Learned counsel for respondent No. 2 has also fairly concurred with the submissions of learned counsel for the petitioners and has submitted that respondent No. 2 has no objection to the quashing of the FIR and all consequential proceedings in view of the amicable settlement arrived at between the parties. The statements of the parties reflecting their compromise have also been recorded by the competent authority of this Court and are part of the record. Keeping in view the law laid down by the Hon'ble Supreme Court in ***Manoj Sharma vs. State & Ors., (2008) 16 SCC 1***, ***B.S. Joshi vs. State of Haryana & Ors., (2003) 4 SCC 675***, and ***Gian Singh vs. State of Punjab & Anr., (2012) 10 SCC 303***, it is well settled that in cases arising out of predominantly commercial disputes having overtones of civil liability, the criminal proceedings can be quashed where the parties have voluntarily settled their disputes and continuation thereof would serve no useful purpose.
- 10 In view of the aforesaid facts and circumstances, particularly the amicable settlement arrived at between the parties and the stand



taken by respondent No. 2, this Court is of the considered view that continuation of criminal proceedings arising out of FIR No.166/2022 registered at Police Station Azad Chowk, Raipur, for offence under Section 420 IPC would amount to an abuse of process of law. Accordingly, the said FIR and all consequential proceedings including charge-sheet and cognizance taken thereon are hereby quashed on the basis of compromise between the parties.

- 11** In the result, the petition under Section 528 of BNSS is **allowed** to the extent indicated hereinabove.
- 12** There shall be no order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice