



2026:CGHC:12652-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 3277 of 2025**

1 - Savitri Bai Sahu W/o Shashikant Sahu, Aged About 53 Years, R/o Balco, Ward No. 39 Sada Colony Bhadrpara, Police Station- Balco, District- Korba C.G.

2 - Kamleshwari Sahu W/o Lalit Kumar Sahu, Aged About 26 Years, R/o H.No. 1357 B-Block Naya Line Near Sardar Akana, Police Station- Sonari East, District Singhbhum (Jharkhand), Present Address- Balco, Ward No. 39 Sada Colony Bhadrpara, Police Station- Balco, District- Korba C.G.

3 - Jaikumar Sahu S/o Shashikant Sahu, Aged About 30 Years, R/o Balco, Ward No. 39 Sada Colony Bhadrpara, Police Station- Balco, District- Korba C.G.

... Applicants/Petitioners**versus**

1 - State of Chhattisgarh Through Station House Officer, Police Station- Shivrinarayan, District - Janjgir-Champa C.G.

2 - Anjali Sahu W/o Jai Kumar Sahu, Aged About 23 Years, R/o Village- Kukda, Police Station- Shivrinarayan, District - Janjgir-Champa C.G.

... Respondents

(Cause-title taken from Case Information System)

For Petitioners/Applicants	: Mr. Chandrikaditya Pandey, Advocate.
For State	: Mr. Sourabh Sahu, Panel Lawyer.
For Respondent No.2	Ms. Soniya Sahu, Advocate.

Division Bench:**Hon'ble Shri Ramesh Sinha, Chief Justice****Hon'ble Ravindra Kumar Agrawal, Judge****Order on Board****Per Ramesh Sinha, Chief Justice****17-03-2026**

1. This petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short B.N.S.S.) has been preferred by the petitioners/applicants, who are in-laws and husband of the Respondent No. 2/ complainant, with the following prayer:-

“It is, therefore, prayed that this Hon'ble Court may kindly be pleased to quash the first information report bearing Crime No. 294/2025 registered at Police Station Shivrinarayan, District Janjgir-Champa (C.G.) for the offence punishable under section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 on 30.07.2025, the entire charge-sheet including final report No. 259/2025 for the offence punishable under Section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 and order dated 21.08.2025 passed by the learned Judicial Magistrate First Class, Pamgarh, District -Janjgir-Champa (C.G.) that sufficient grounds are available for taking cognizance against the applicants for the offence punishable under Section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 and registration of the case as Criminal Case No. 938/2025 and the subsequent proceedings pending before the learned Trial Court, in the interest of justice.”

2. The brief facts of the case are that the complainant/ Respondent No. 2, Anjali Sahu, was married to Jai Kumar Sahu (Petitioner No. 3) on 21.02.2025 and started residing at her matrimonial home in Balco Nagar, Korba. Shortly after the marriage, she was allegedly subjected to physical and mental cruelty by her husband, mother-in-law Savitri Bai (Petitioner No. 1), and sister-in-law Kamleshvari Sahu (Petitioner No. 2) over trivial issues and for not bringing a motorcycle in dowry, along with further demand of Rs. 10,00,000 from her parental home. It is alleged that she was assaulted, threatened, and even attacked with a knife by her husband, causing injuries, and was later confined and subjected to further harassment and attempts to strangle her. Upon her complaint, Crime No. 294/2025 was registered under Section 85 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, and after investigation, charge-sheet No. 259/2025 was filed before the Judicial Magistrate First Class, Pamgarh, who took cognizance and granted bail to the accused. Earlier, a petition filed by two of the accused was dismissed as withdrawn with liberty to file afresh after impleading the husband, leading to the present petition challenging the FIR, charge-sheet, and cognizance order.

3. During the pendency of the said criminal case, this Court vide its order dated 28.02.2026 directed the parties explore the possibility to settle their dispute by way of mediation and enter into the compromise. Thereafter, on 09.03.2026, 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 State, in turn, submits that the State has no objection in case if the matter is disposed of by quashing the FIR (Crime No.294/2025) registered at Police Station- Shivrinarayan, Distt.- Janjgir Champa (C.G.) along with the entire charge-sheet including final report No. 259/2025 and order dated 21.08.2025 passed by the learned Judicial Magistrate First Class, Pamgarh, Distt.- Janjgir Champa and registration of the case as Criminal Case No. 938/2025 and the subsequent proceeding pending before the learned trial Court against the petitioners, as the parties have already entered into compromise.

5. The conditions of compromise, as per settlement agreement between the parties dated 09.03.2026, is necessary to reproduce here for consideration which is as below:-

“1. The marriage between Jaikumar Sahu and Anjali Sahu held on 21/02/2025 will be dissolved by making application under Section 13-B of the Hindu Marriage Act, 1955 before appropriate Jurisdictional Court. The application will be made within a period of one month from today. All the articles gifted to the Bride Anjali Sahu, by her parents at the time of marriage will be returned by Jaikumar Sahu. A list of all these articles will be handed over by Anjali Sahu to Jaikumar within one month from today.

2. As a one time settlement a sum of Rupees One Lakh Fifty Thousand will be paid by Jaikumar Sahu to Anjali Sahu. Out of this a sum of rupees one lakh has already been deposited and paid to anjali Sahu today through the Mediation Centre. The balance amount of rupees fifty thousand will be paid to her within

six months from the date of filing of application for divorce, as aforesaid.

3. That the Criminal Case No. 938/2025 pending in the Court of Learned Judicial Magistrate First Class, Pamgarh shall stand quashed as a result of this settlement. The parties shall not claim anything from each other in future.”

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/ 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]

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 First Information Report bearing Crime No. 294/2025 registered at

Police Station Shivrinarayan, District Janjgir-Champa (C.G.) for the offence punishable under section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 on 30.07.2025, the entire charge-sheet including final report No. 259/2025 for the offence punishable under Section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 and order dated 21.08.2025 passed by the learned Judicial Magistrate First Class, Pamgarh, District -Janjgir-Champa (C.G.) that sufficient grounds are available for taking cognizance against the applicants/petitioners for the offence punishable under Section 85, 3(5) of Bharatiya Nyaya Sanhita, 2023 and registration of the case as Criminal Case No. 938/2025 and the subsequent proceedings pending before the learned Trial Court, against the petitioners/applicants are hereby quashed subject to fulfillment of terms and conditions of the compromise entered into between the parties on 09.03.2026.

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