



2026:CGHC:15007-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 9 of 2026

- 1** - Aman Lunia S/o Ashok Kumar Lunia Aged About 34 Years Resident Of Kalika Nagar, Kawardha, District- Kabirdham (C.G.)
- 2** - Ayush Lunia S/o Ashok Kumar Lunia Aged About 32 Years Resident Of Kalika Nagar, Kawardha, District- Kabirdham (C.G.)
- 3** - Smt. Sitara Devi Lunia W/o Ashok Kumar Lunia Aged About 59 Years Resident Of Kalika Nagar, Kawardha, District- Kabirdham (C.G.)
- 4** - Ashok Kumar Lunia S/o Late Maniklal Ji Lunia Aged About 65 Years Resident Of Kalika Nagar, Kawardha, District- Kabirdham (C.G.)

--- **Petitioner(s)**

versus

- 1** - State of Chhattisgarh Through- Police Station- Mohila Thana Durg, District- Durg (C.G.)
- 2** - Smt. Prerna Lunia W/o Aman Lunia Aged About 33 Years R/o Gali No. 1, Shyamlal Pandey Gali, Ganjpara Durg Police Station And District- Durg (C.G.)

--- **Respondent(s)**

CRMP No. 3823 of 2025

- 1** - Ajay Bothra S/o Shri Hukmichand Bothra Aged About 65 Years R/o House No. 2, Tilak Marg, Sarafa Line, Rishabh Dev Chowk, Kawardha, P.O.- Kawardha, District- Kabirdham (C.G.)
- 2** - Lata Bothra W/o Shri Ajay Bothra Aged About 63 Years R/o House No. 2, Tilak Marg, Sarafa Line, Rishabh Dev Chowk, Kawardha, P.O.- Kawardha, District Kabirdham (C.G.)

---**Petitioner(s)**

Versus

1 - State of Chhattisgarh Through- Police Station- Mahila Thana Durg, District Durg (C.G.)

2 - Smt. Prerna Luniya W/o Shri Aman Luniya Aged About 30 Years R/o Street No. 1, Azad Ward, Shyam Lal Pandey Street, Ganj Para, P.S.- Durg Kotwali, District Durg (C.G.)

--- Respondent(s)

For Petitioners	:	Ms. Sharmila Singhai, Sr. Advocate, Shri Anumeh Shrivastava, Syed Jayed Ziya Ali and Ms. Kanchan Kalwani, Advocates.
For Respondents	:	Shri Priyank Rathi, Govt. Advocate, Shri Roop Naik and Shri Shikhar Bhaktiyar, Advocates.

Hon'ble Shri Justice Ramesh Sinha, CJ

Hon'ble Shri Justice Ravindra Kumar Agrawal, J

Order on Board

01.04.2026

Per, Ramesh Sinha, Chief Justice

- 1** Since common facts and issues are involved in both the petitions and arise out of same crime number and incident, they are being heard and decided together by this common order.
- 2** Both these petitions under Section 528 of BNSS, 2023, have been filed by the petitioners for quashing criminal proceeding in Crime No.77 of 2025 registered at Police Station Mahila Thana, Durg, on the basis of compromise arrived at between the parties. The said offence is registered for the offence punishable under Sections 85 & 3(3) of BNS, 2023 and Section 4 of Dowry Prohibition Act.
- 3** Facts of the case are that, the petitioners in CrMP No.9 of 2026 are husband, brother in law, mother in law and father in law, whereas, petitioners in CrMP No.3823 of 2025 are brother in law and sister in

law of respondent No.2-Smt. Prerna Lunia (complainant). Marriage between petitioner-Aman and complainant-Prerna was solemnized on 10.06.2025 as per Hindu Rites and Rituals. After sometime of marriage matrimonial dispute arose between them on the issue of concealing subsisting earlier marriage of respondent wife resulting into filing of Civil Suit on 13.10.2025 by the Husband-Aman Lunia under Section 11 & 13(1)(i-a) of the Hindu Marriage Act, 1955 seeking declaration of their marriage as null and void as also for a decree of divorce, and thereafter, the respondent No.2-wife lodged a report at Mahila Police Thana, Durg for the offences under Sections 85 & 3(3) of BNS, 2023 and Section 4 of The Dowry Prohibition Act against all the petitioners.

- 4 On 07.01.2026 while granting stay on the arrest of petitioners, on request made by the parties, the matter was referred to Mediation Centre of The High Court for mediation between the parties and they were directed to appear before the Mediation Centre on 15.01.2026 for amicable settlement. In compliance thereof, the parties appeared before the Mediation Cell on the given date, however compromise could not be taken place and it was failed.
- 5 The counsel for the petitioners as well as respondent No.2/ complainant have jointly stated that during pendency of these petitions, they have settled their dispute amicably on 19.02.2026. Therefore, they may be permitted to compromise in the matter. The complainant has also stated in the compromise that she does not wish to pursue the criminal case against the petitioners any further. The said compromise dated 19.02.2026 has been affected in between the

parties where in it was accepted that the petitioner Aman Lunia shall pay total amount of Rs. 29,00,000/- as one time maintenance to respondent No.2-Prerna Lunia, out of which an amount of Rs.1,00,000/- was already deposited as per court's order dated 07.01.2026 and it was released to complainant on the date of mediation. As per compromise, an amount of Rs.14,00,000/- was received by the complainant through cheque on 19.02.2026 itself and remaining amount of Rs.14,00,000/- is agreed between the parties to be deposited by the petitioner Aman Lunia before the concerned Family Court at the time of recording final statement of complainant-Prerna Lunia.

- 6 Learned counsel for the State, in turn, submits that the State has no objection in case if the matter is compounded as the parties have already entered into compromise.
- 7 In view of the categorical statement made by the complainant as well as the accused/petitioners, 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 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 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.

9 In view of the statement made by the complainant and the accused persons; 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.

10 Accordingly, both the petitions under Section 528 of BNSS, 2023 are allowed. In view of the compromise dated 19.02.2026 arrived at between the parties, the consequential proceedings in Crime No.77 of 2025, registered at Police Station Mahila Thana, Durg, is quashed against all the petitioners of both the petitions.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

inder