



Serial No. 24
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn.No.66 of 2025

Date of Order: 04.12.2025

Shri. Suresh Prasad Singh
S/o (L) Radha Krishna Singh
R/o Pine Grove, Pine Mount Ridge Road,
East Khasi Hills District, Meghalaya

.....Petitioner

-VERSUS-

1. State of Meghalaya, represented by
Secretary, Department of Home Affairs and Police
Shillong, Meghalaya.

2. Officer-in-Charge, Laban Police Station, Shillong

3. Smt. Poonam Singh
W/o Shri Suresh Singh
R/o Pine Grove, Pine Mount Ridge Road,
East Khasi Hills District, Meghalaya

.....Respondents

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Jindal, Adv

For the Respondent(s) : Mr. S.A. Sheikh, GA (R:1-2)
Mr. K.C. Gautam, Adv with
Ms. A. Rani, Adv (R:3)



Judgment and Order (Oral)

1. Heard Mr. S. Jindal, learned Counsel appearing for the petitioner, Mr. S.A. Sheikh, learned GA appearing for the State-respondent Nos.1 – 2 and Mr. K.C. Gautam, learned counsel appearing for the respondent No.3.

2. By this petition, the petitioner has sought for quashing of the proceeding of the Sessions Case No.20 of 2024 U/s 324/326/307 IPC, pending in the Court of learned District and Sessions Judge, Shillong on the basis of the settlement deed dated 11.08.2025.

3. The brief fact of the case is that the respondent No.3, on 31.10.2023 filed an FIR against the petitioner who happens to be her husband alleging that the petitioner had stabbed her with a knife and kicked her thighs and also hurt her fingers. The said FIR was registered vide Laban P.S. Case No.88(10) of 2023 U/s 324 IPC and the matter was investigated into. Upon completion of the investigation, a charge-sheet bearing No.02 of 2024 dated 30.01.2024 was submitted against the petitioner which is now pending trial before the Court of learned District and Sessions Judge, Shillong in Sessions Case No.20 of 2024.

4. Mr. S. Jindal, learned counsel for the petitioner submits that during the pendency of the trial, the petitioner and the respondent No. 3 have amicably settled/compromised the matter by a compromise deed dated 11.08.2025. He submits that since the matter has been compromised, no meaningful purpose will be served by allowing the continuation of the criminal case against the petitioner. He further submits that the allegation made in the FIR is purely private in nature and has no serious impact on the society. He submits that the settlement in the matter will bury all hatchet and result in building harmonious relation between the parties.



The learned counsel submits that the offence involved in the matter is a non-compoundable offence and hence, the petitioner has no other option but to approach this Court seeking quashing of the FIR and the related criminal proceeding initiated against him. He further submits that the parties have executed the compromise deed voluntarily out of their own free will and prays that the proceeding of the Sessions Case No.20 of 2024 be quashed. To impress upon the Court that an offence under 307 IPC can be quashed, the learned counsel refers to the decision of the Apex Court in *Naushey Ali & ors v. State of Uttar Pradesh & anr*, (2025) 4 SCC 78.

5. Mr. S.A. Sheikh, learned GA appearing for the respondent Nos. 1 – 2 submits that offence under section 307 IPC is a serious offence and a mere compromise/settlement between the parties cannot be the sole ground for quashing the criminal case against the petitioner. He, however, in his usual fairness, submits that since the petitioner and the respondent No.3 are related as husband and wife, the matter may be decided by applying discretionary power of this Court.

6. Mr. K.C. Gautam, learned counsel appearing for the respondent No.3 supports the prayer made on behalf of the petitioner and also acknowledges that the compromise deed dated 11.08.2025 has been executed by the parties.

7. Upon hearing the learned counsels appearing for the parties and on perusal of the materials on record, it transpires that the FIR dated 31.10.2023 was lodged by the respondent No.3 against the petitioner who happens to be her husband alleging stabbing and physical assault. The Laban P.S. Case No.88(10) of 2023 was registered on the basis of the said FIR and the matter was investigated into. Upon completion of the investigation, a charge sheet was filed against the petitioner which is now



pending trial before the learned Court of District and Sessions Judge, Shillong, in Sessions Case No.20 of 2024 U/s 324/326/307 IPC.

8. It appears that during the pendency of the trial, with a view to resolve the pending dispute amicably, the petitioner and the respondent No.3 attempted to settle the differences via mediation. After holding comprehensive mediation sessions, they have settled almost all the disputes between them out of their own free will and have agreed to bring an end to the ongoing litigation. Accordingly, and so as to achieve a quietus to most of the pending dispute, a compromise deed dated 11.08.2025 was executed between them laying down the terms and conditions of the compromise. Contents of the compromise deed reveals that the parties have decided to put an end to all issues between them. It is also provided that the parties shall be faithful to each other and not do or cause to be done any act either directly or indirectly which may prejudice the other party. At clause 6 of the settlement deed dated 11.08.2025, it has been provided that the petitioner should approach the High Court to seek quashing of Sessions Case No.20 of 2024 and the respondent No.3 should not object to such quashing and should render all assistance to bring an end to the litigation.

9. The decision of the Apex Court in *Gyan Singh Vs State of Punjab & Anr (2013) 10 SCC 303* makes it clear that inherent power of the High Court in quashing the criminal proceeding can be exercised on the basis of compromise/settlement entered into between the parties found to be genuine and no public element is involved in the matter. In the present case, it appears that the allegation made in the FIR is specifically confined to the petitioner and the respondent No.3 and none others.

10. Further, the Apex Court in *Naushey Ali & ors (supra)* at para 22 observed: -

“22. Before we apply this judgment to the facts, it will be worthwhile to



recall the observations of Sikri, J. in Narinder Singh: (SCC p.481, para 26)

“26. Having said so, we would hasten to add that though it is a serious offence as the accused person(s) attempted to take the life of another person/victim, at the same the court cannot be oblivious to hard realities that many times whenever there is a quarrel between the parties leading to physical commotion and sustaining injury by either or both the parties, there is a tendency to give it a slant of an offence under section 307 IPC as well.”

(emphasis supplied)”

11. Perusal of the FIR dated 31.10.2023 reveals that the quarrel between the petitioner and the respondent No.3 led to physical commotion resulting in alleged injury to the respondent No.3. The materials on record do not show presence of any pre-mediated criminal intention on the part of the petitioner to cause harm to the respondent No.3. Thus, having regard to the fact that the dispute with regard to the allegation made in the FIR and the related charge sheet has been settled between the petitioner and the private respondent No.3 voluntarily out of their own free will and the settlement/compromise is aimed at boosting cordial and peaceful relationship between the parties, this Court deems it fit and appropriate to allow the prayer made in the present criminal petition.

12. Resultantly, further proceeding of the Sessions Case No.20 of 2024 U/s 324/326/307 IPC pending before the learned Court of District and Sessions Judge, Shillong stands quashed.

13. The criminal petition is allowed.

Judge

Meghalaya
04.12.2025
“Shrity.PS”