

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Misc.Petition No. 531 of 2016

- Smt Pragati Mishra, W/o Devi Shankar Mishra, Aged About 27 Years R/o Opposite Maharani Hospital, Jagdalpur, Police Station - Kotwali, Jagdalpur, Civil District Bastar, Rev. District Jagdalpur Chhattisgarh.

---- **Petitioner/Complainant**

Versus

1. State Of Chhattisgarh Through Police Station Kotwali, Jagdalpur, Civil District Bastar, Rev. District Jagdalpur Chhattisgarh.
2. Devi Shankar Mishra S/o Durga Shankar Mishra Aged About 28 Years
3. Smt. Rekha Mishra W/o Durga Shankar Mishra Aged About 56 Years

Both r/o Pratapganjpara, Jagdalpur, Police Station Kotwali, Jagdalpur, Civil District Bastar, Rev. District Jagdalpur Chhattisgarh.

4. Smt. Ritu Agnihotri W/o Upendra Kumar Agnihotri (Wrongly Mentioned as D/o) aged about 33 Years R/o Village Sargipal, Police Station Kotwali, Jagdalpur, Civil District Bastar, Rev. District Jagdalpur Chhattisgarh.
5. Smt. Ranu Tiwari @ Vijeta Tiwari W/o Sanjay Tiwari Aged About 28 Years R/o Kondagaon, Jagdalpur, Civil District Bastar, Rev. District Jagdalpur Chhattisgarh.

--Respondents

For Petitioner : Shri Manoj Paranjape and Shri Prasoon Agrawal, Advocates

For Respondent/State : Shri Rajendra Tripathi, PL

For Respondents- 2 to 5 : Shri Gurudev I Sharan, Advocate

Hon'ble Shri Justice P.Sam Koshy

ORDER

20.06.2016

- 1) Present petition under Section 482 of the CrPC has been filed for compounding of offence punishable under Section 498-A of the Indian Penal Code, pending against

respondents- 2 to 5 in the Court of Judicial Magistrate First Class, Jagdalpur in Criminal Case No.70/2014.

- 2) The petitioner had filed an application under Section 320 (2) of the Cr.P.C., for compounding of offence punishable under Section 498-A IPC, before the Judicial Magistrate First Class, whereby it is rejected vide order dated 27.02.2016 on the ground that the said offence is not compoundable.
- 3) This Court, entertaining the present petition had directed the parties vide order dated 11.05.2016 to appear before the Registrar (J), who, in turn shall record their statements and shall submit the file before this Court. Subsequently, the parties had appeared and statements thereof were recorded before the Registrar (J) on 15.06.2016. In all the statements they have categorically agreed of settling their dispute and the present petitioner does not want to prosecute the case further against respondents- 2 to 5 and wants to close the case.
- 4) Taking into consideration the specific averments of the present petitioner as also the statements of respondents- 2 to 5, wherein they have agreed to resolve the dispute between them out of Court, in addition to it, respondent- 2 has agreed to pay Rs.8,00,000/- for maintenance, out of which he already paid a lumpsum amount of Rs.5,00,000/- and gave a cheque for balance amount of Rs.3,00,000/-, present petition is allowed and respondents- 2 to 5 shall be discharged from the offence under Section 498-A of the IPC and the entire proceedings pending before the Judicial Magistrate, First Class in Case No.70 of 2014 stand quashed.

Sd/-
(P.Sam Koshy)
JUDGE