

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 420 of 2017

1. Pramod Kumar Ratre S/o Bhuval Das Ratre Aged About 28 Years R/o Village Sundravan Thana & Tahsil Palari, District Baloda- Bazar Bhatapara, Chhattisgarh.
2. Smt. Nirguni Ratre W/o Bhuvlal Das Ratre Aged About 50 Years R/o Village Sundravan Thana & Tahsil Palari District Baloda- Bazar Bhatapara, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Station House Officer Thana Palari, District Baloda Bazar- Bhatapara, Chhattisgarh.
2. Smt. Kewara Ratre W/o Pramod Kumar Ratre Aged About 25 Years R/o Village Sundravan Thana & Tahsil Palari District Baloda- Bazar Bhatapara, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri N.K. Malviya, Advocate
For Respondent No.1/State	:	Shri Bhaskar Payashi, Panel Lawyer
For Respondent No.2	:	Shri Akhilesh Mishra, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/03/2017

1. The petitioners have filed this petition for quashing of FIR registered by Police Station- Palari under Crime No.33302007170011 for alleged commission of offence under Section 498 -A read with Section 34 IPC.
2. Learned counsel for the petitioners submits that petitioner No.1- Pramod Kumar Ratre is the husband of respondent No.2-Smt. Kewara Ratre. He submits that on trivial dispute between the husband and wife, the wife, in the heat of the moment, lodged report against the petitioners, on which offence has been registered. However, later on, both the parties have realized that it is in the better interest of their marital life to settle all their disputes. Therefore, the parties have settled their disputes and they have started living together, peacefully. He further submits that even respondent No.2-wife has also submitted an application that she does not want any action to be taken against

her husband because she wants to live with her husband after burying all the disputes.

3. Learned counsel for respondent No.2- wife submits that the parties have entered into settlement. There were certain disputes which have been resolved and both of them have started living together, living their happy marital life, therefore, all the disputes may be brought to an end.
4. Learned counsel for the State submits that the Court may consider and pass appropriate order as may be just and fit in the circumstances of the case.
5. Considering the submissions made by learned counsel for the parties, considering the application of the respondent-wife which is on record and particularly considering that the husband and wife both have resolved their disputes and have started living together peacefully, it would be in the interest of justice that all proceedings including criminal proceedings are brought to an end so that continuance of criminal proceedings may not be counterproductive and hindrance in smooth family life of petitioner No.1/husband and respondent No.2/wife.
6. Therefore, applying the principles laid down by the Supreme Court in the cases of **B.S. Joshi & Ors. Vs. State of Haryana & Anr.**¹ and **Gian Singh Vs. State of Punjab & Anr.**², all criminal proceedings initiated under Crime No.33302007170011 registered in the Police Station- Palari, are hereby quashed.
7. The petition is accordingly allowed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen

1.(2003) 4 SCC 675
2.(2012) 10 SCC 303