

HIGH COURT OF CHHATTISGARH, BILASPURCriminal Misc. Petition No.933 of 2019

Shivratri Bai, W/o Shri Lochan Prasad Narang, aged about 25 years,
R/o Kotba Kargil Chowk, at present R/o Alola, P.S. Kapu, District
Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Station House Officer, Police Station Bagbahar, District Jashpur (C.G.)
2. Lochan Prasad Narang, S/o Ramnath Narang, aged about 31 years,
3. Ramnath Narang, S/o Lodhoram Narang, aged about 67 years,
4. Smt. Hiramati Narang, W/o Ramnath Narang, aged about 62 years,

All are R/o Kotba Kargil Chowk, District Jashpur (C.G.)

---- Respondents

For Petitioner: Mr. Ajeet Kumar Yadav, Advocate.

For Respondent No.1 / State: -

Mr. Aakash Pandey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/05/2019

1. On the complaint of the petitioner – wife, the offence under Section 498A of the IPC was registered against respondents No.2 to 4 herein. Thereafter, the petitioner with her husband respondent No.2 and others has entered into compromise and the application was filed before the learned trial Magistrate which was rejected being the offence non-compoundable, therefore, this petition under Section 482 of the CrPC has been filed by the wife in which the respondents have been noticed and they appeared and their statements have been recorded in which the petitioner herein and respondents No.2 to 4 herein have made statements that they have voluntarily entered into compromise.

2. I have heard learned counsel for the parties and perused the statements in which they have clearly stated that the matter has already been compromised between the parties and the complainant has specifically stated that she is not willing to continue the prosecution of respondents No.2 to 4 herein, as the matter has been compromised.
3. Taking into consideration the nature of dispute which is matrimonial dispute and compromise has taken place between the parties and further considering the principles of law laid down in the matters of Gian Singh v. State of Punjab¹ and State of Madhya Pradesh v. Laxmi Narayan and others² and also taking into consideration the fact that the parties have voluntarily compromised the dispute, it would be expedient to quash the criminal proceeding pending against respondents No.2 to 4. Accordingly, Criminal Case No.341/2012 (State v. Lochan Narang and others) pending in the Court of Judicial Magistrate First Class, Pathalgaon is hereby quashed and respondents No.2 to 4 are acquitted of the said charge.
4. The petition is allowed to the extent indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma

1 (2012) 10 SCC 303

2 2019 SCC OnLine SC 320