

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPCR No. 538 of 2019**

Amit Pandey S/o Shri Arun Kumar Pandey Aged About 30 Years R/o  
Fazalwada, Juna Bilaspur, City Kotwali, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through In Charge Police Station Mahila Thana, Bilaspur, District Bilaspur Chhattisgarh.
2. Smt. Shivani Awasthi Pandey W/o Amit Pandey Aged About 30 Years D/o Shri Raj Awasthi, R/o A/87, Sagar Homes Phase - II, Nature City, Bilaspur, Thana Chakarbhata, District Bilaspur Chhattisgarh.

**---- Respondents**

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| For the Petitioner | : | Shri Anand Shukla, Advocate.         |
| For the State      | : | Shri Devendra Pratap Singh, Dy. A.G. |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**06-08-2019**

1. This writ petition has been brought under Article 226 of the Constitution of India praying for quashment of FIR registered as Crime No. 24 of 2019 in Mahila Thana, Bilaspur for commission of offence under Section 498A of the IPC.
2. It is submitted by the learned counsel for the petitioner that the petitioner and the complainant/ respondent No.2 both are husband and wife and the FIR has been lodged on the basis of respondent No.2 – Smt. Shivani Awasthi. As the petitioner and respondent No.2 have amicably settled the dispute regarding which, the statement has also been recorded, therefore, it is prayed that the FIR be quashed.
3. Learned counsel for the State opposes the submissions and the grounds raised in the petition.

4. Learned counsel for respondent No.2 has submitted that respondent No.2 has no objection if the petition is disposed off.

5. Heard learned counsel for the parties and perused the documents.

6. Considered the submissions made by counsel for both the parties and also perused the statement of the petitioner and respondent No.2 which has been recorded by the Registry of this Court in which they have categorically stated that the dispute between the parties have been amicably settled and respondent No.2 has made a clear statement that she does not want any prosecution on her complaint. Therefore, for the aforesaid reasons, and that there is no remedy available under the statute in such circumstances to pass any order on the basis of compromise by this Court, I feel inclined to pass appropriate order.

7. Accordingly, the petition is allowed and the FIR lodged against the petitioner as Crime No. 24 of 2019 in Mahila Thana, police station Civil Lines, Bilaspur is hereby quashed.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**