

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.454 of 2025

Arising Out of PS. Case No.-1001 Year-2020 Thana- ARA NAWADA District- Bhojpur

1. Dev Kumar Tiwari Son of Jiwanand Tiwari Resident of Village- Sar Siwan, P.S.- Ara Muffasil, Dist.- Bhojpur
2. Dharmesh Kumar Tiwari @ Dharmesh Tiwari Son of Jiwanand Tiwari Resident of Village- Sar Siwan, P.S.- Ara Muffasil, Dist.- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Abhimanyu Kumar Resident of Village- Anaith, P.S.- Ara Nawada, Distt.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gopal Govind Mishra, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Swetank, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH
ORAL ORDER

14 19-02-2026 1. Heard learned counsel for the appellants, learned Additional Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been preferred against the order dated 03.12.2024 passed by the learned District and Additional Sessions Judge-I, Bhojpur at Ara in SC/ST Case No. 324 of 2020, arising out of Nawada P.S. Case No. 1001 of 2020 under sections 420, 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, whereby discharge application under Section 227 of the Code of Criminal Procedure of the appellants has been rejected and appellants has been directed to face trial.

3. Brief facts of the case, which are required to be stated are that informant lodged F.I.R. stating inter-alia that her husband is habitual to smoke heroin. He used to giveaway household goods at a low rate in the locality. In the same sequence, the motorcycle No. 03W554, which she had got from her maternal home was mortgaged by her husband to the appellants for Rs. 5000/-. On making request for return of her motorcycle, they are abusing and demanding Rs.40,000/-

4. On 30.01.2026 and 04.02.2026 following orders were passed by this Court :

“30.01.2026: On the matter being taken up Mr. Satish Kumar Sinha, learned Advocate has put his appearance on behalf of the respondent no. 3. He prays for and is allowed three days’ time to seek instruction with regard to settlement of dispute.

2. Let this matter be listed on 03.02.2026 retaining its position.”

“04.02.2026: Pursuant to order dated 30.01.2026, Mr Satish Kumar Sinha, learned Advocate appearing on behalf of the respondent no. 2, upon



instruction from his client submits that in case the motorcycle in question and a sum of Rs. 5,000/- is returned by the appellants to the respondent no. 2, he has no objection in case relief as sought for by the appellants by means of this criminal appeal is allowed.

2. In response, learned counsel for the appellants submits that the appellants are ready to accept the offer of the respondent no. 2. He further submits that the motorcycle in question and a sum of Rs. 5,000/- shall be handed over to the respondent no. 2 in presence of learned counsel for the parties on 06.02.2026 between 10:30 to 11:30 A.M.

3. Let this matter be re-notified on 16.02.2026.”

5. Today on the matter being taken up, learned counsel for the appellants submits that pursuant to order of this Court dated 04.02.2026, the appellants has returned the motorcycle in question to the respondent no. 2 and also gave a sum of Rs. 5,000/- in cash as directed in the order dated 04.02.2026. So far as papers of motorcycle in question is concerned, he handed over the original owner book, transfer letter with signature of appellant no.1, photocopy of Aadhar Card and one photograph of the appellant no.1, (who is owner of the vehicle and brother of appellant no. 2) to the counsel for the informant/respondent



no. 2 during course of hearing of this case.

6. On receiving the said documents learned counsel for respondent no. 2 submits that now informant has no grievance against the appellants and in case the impugned order dated 03.12.2024 and further criminal proceedings of this case arising out of Nawada P.S. Case No. 1001 of 2020 as noted above is quashed by this Court, informant has no objection.

7. After having heard the learned counsel for the parties, I find that after compromise/settlement arrived at between the parties in the present case, the chance of ultimate conviction is bleak and therefore, no useful purpose is likely to be served by allowing a criminal prosecution against the appellants to continue, as the same would be futile exercise and a sheer wastage of precious time of the Court. The continuation of a criminal proceedings after compromise would cause oppression and prejudice to the parties concerned. If the parties concerned wants to bury the hatchet and are willing to move on in personal dispute on the basis of compromise, they may be allowed to compound the offences in terms of settlement in the light of dictum and guidelines laid down by the Apex Court in the case of *Ramawatar vs State of Madhya Pradesh AIR 2021 Supreme Court 5228*.



8. In view of the above, the order dated 03.12.2024 passed by the learned District and Additional Sessions Judge-I, Bhojpur at Ara in SC/ST Case No. 324 of 2020 and further proceedings of the aforesaid case against the appellant is quashed in terms of compromise as mentioned above.

9. The appeal stands allowed.

(Sanjay Kumar Singh, J)

Raj Ranjan/-

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