

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9172 of 2025

Arising Out of PS. Case No.-1848 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Vivek Kumar Pandey S/o- Jagarnath Pandey @ Jagannath Pandey Village- Dharampura PS-Ara Muffasil District- Bhojpur
 2. Jagarnath Pandey @ Jagannath Pandey S/o- Late Shyam Bihari Pandey Village- Dharampura PS-Ara Muffasil District- Bhojpur
 3. Meera Devi @ Mira Devi W/o- Jagarnath Pandey @ Jagannath Pandey Village- Dharampura PS-Ara Muffasil District- Bhojpur
 4. Jyoti Devi W/o- Vivek Kumar Pandey Village- Dharampura PS-Ara Muffasil District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Uma Alias Uma Devi Late Lalan Ojha Mohalla South OF Jail Khetari Mohalla Nehru Nagar PS Ara Town District Bhojpur

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 23371 of 2025

Arising Out of PS. Case No.-1848 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

Panchdeo Pandey Son of Jagarnath Pandey @ Jagannath Pandey Village- Dharmapura PS- Ara Muffasil District -Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Uma @ Uma Devi wife of Panchdeo Pandey Mohalla- South OF Jail Khetari Mohalla Nehru Nagar, PS -Ara Town, District -Bhojpur

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9172 of 2025)
For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 23371 of 2025)
For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY



ORAL ORDER

3 05-02-2026 Heard the learned counsel for the parties.

2. The present application has been filed for quashing the order dated 13.08.2024 passed by the learned S.D.J.M, Bhojpur at Ara in Complaint Case No. 1848 of 2023 whereby cognizance has been taken against him under Section(s) 498(A)/34 of the I.P.C. and under Section 3/4 of the D.P. Act.

3. Learned counsel for the petitioners submits that he has brought on record the compromise petition entered between the parties by supplementary affidavit. He further submits that in view of the compromise, the matrimonial relationship between the petitioner in Cr.Misc. No. 23371 of 2025, namely, Panchdeo Pandey and the complainant/O.P. No. 2 has been restored. It has next been submitted that in view of such settlement and the allegations being in the nature of private differences between the husband and the wife, therefore, the compromise may be accepted and the criminal proceedings may be quashed.

4. Learned counsel appearing on behalf of the O.P. No. 2 does not dispute the factum of compromise entered between the parties and has also submitted that the matrimonial relationship between the petitioner in Cr.Misc. No. 23371 of 2025, namely, Panchdeo Pandey and his wife i.e. the



complainant has been restored.

5. Upon hearing the learned counsel for the parties and taking into account the fact that the parties have compromised and in view of the settled law especially the observations made by the Hon'ble Supreme Court in the case of ***Narinder Singh and Ors. vs. State of Punjab and Anr*** reported in ***(2014) 6 SCC 466***, paragraph -29.4 of the same reads as under:

“29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.”

6. The Hon'ble Supreme Court in the case of ***Naushey Ali and Ors. vs. State of Uttar Pradesh and Anr.*** reported in ***(2025) 4 SCC 78*** has observed that in a case where the parties have amicably settled their dispute the proceeding with the trial would be futile and it would be a grave abuse of process of law if the proceedings are not quashed.

7. In view of the aforesaid judicial pronouncements and settled principle of law, the Complaint Case No. 1848 of 2023 for the offences under sections 498(A)/34 of the I.P.C. and under Section 3/4 of the D.P. Act. and the criminal proceedings



arisen out of the same are quashed.

8. Accordingly, the present application stands
allowed.

(Sourendra Pandey, J)

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