

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13683 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- PALIGANJ District- Patna

-
1. Niranjan Singh @ Niranjan Kumar Son of Ramadhar Singh @ Ramadhar Prasad Azad Resident of Village- Dhibri, P.S.- Paliganj, District-Patna
 2. Love Kumar @ Love Singh Son of Sri Arvind Singh Resident of Village- Dhibri, P.S.- Paliganj, District-Patna
 3. Tinku Kumar @ Abhishek Raj Son of Sidheshwar Singh Resident of Village- Dhibri, P.S.- Paliganj, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gori Kunwar D/o Late Rajnandan Manjhi Resident of Village- Dhibri, P.S.- Paliganj, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Prasad, Adv.
For the Opposite Party/s	:	Mr. Keshab Raj, Adv. Ms. Monika Singh, Adv.
For the State	:	Ms.Usha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL JUDGMENT

Date : 05-02-2026

Heard learned counsel for the petitioners, learned
counsel appearing on behalf of the O.P. No. 2 and learned A.P.P.
for the State.

2. The petitioners have made the following prayer in
this application :-

*“That this is an application for quashing
of F.I.R. bearing Paliganj P.S. Case No.
37/22 u/s 341, 323, 379, 452, 504 and 34*



*of the IPC, u/s 27 of the Arms Act and u/s
3(1)(r)(s) of the SC/ST against the
petitioners.”*

3. The allegation against the petitioners in the F.I.R., is that on the occasion of Saraswati Puja while the villagers were preparing for idol immersion and some persons were playing music, the named accused persons asked to stop playing of such music upon which the accused persons said to have fired and abused by taking caste name and then fled away.

4. Learned counsel for the petitioners have prayed for quashing of the F.I.R. bearing Paliganj P.S. Case No. 37/2022 u/s 341, 323, 379, 452, 504 and 34 of the IPC, u/s 27 of the Arms Act and u/s 3(1)(r)(s) of the SC/ST against the petitioners. It has further been submitted that the present case is a false and concocted case and filed only to settle personal score and no such incident as alleged has occurred. It has further been submitted that till date, the charge-sheet has not been submitted against the petitioners. It has further been submitted that looking at the falsity of the case, the petitioners were granted bail and subsequently the parties have also entered into compromise dated 19.07.2023 and petition to such effect was filed before the learned Special Court SC/ST Act, Patna. It has further been submitted by the learned counsel for the petitioners that in view



of such development, the continuation of the criminal proceeding would amount to abuse of the process of law and the entire exercise would be futile. It has next been submitted that in such cases where the offences are personal in nature and it does not shake the public conscience at large and the matter are compromised even the Hon'ble Supreme Court has opined that such cases may be quashed.

5. Taking into account and the compromise entered between the parties even though the offences are not compoundable. 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. The High Court is competent to go ahead and quash the entire proceedings irrespective of the fact that the allegations are serious in nature and non compoundable.

6. Having heard the learned counsel for the petitioners, learned counsel for the O.P. No. 2 as well as learned APP for the State, this Court is reminded of the various judicial pronouncements made by the Hon'ble Supreme Court and one



passed in the case of *Narinder Singh and Ors. vs. State of Punjab and Anr* reported in (2014) 6 SCC 466, wherein the Hon'ble Supreme Court has given the guidelines and laid down the principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Cr.P.C., while accepting the settlement and quashing the proceedings or in the alternative refusing to accept the settlement with direction to continue with the criminal proceedings. The Hon'ble Supreme Court further elaborated that when the parties have reached the settlement and on that basis petition for quashing the criminal proceeding is filed, the guiding factor in such cases would be to secure:

(I) ends of justice,

(II) to prevent abuse of the process of any court.

7. The Hon'ble Supreme Court in paragraph 29.4 observed 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.”

8. In view of the aforesaid settled proposition of law, the continuation of the criminal proceedings between the parties



would amount to abuse of the process of law and as such the
FIR bearing Paliganj P.S. Case No. 37 of 2022, is, hereby,
quashed as against the petitioners.

9. The application stands allowed.

(Sourendra Pandey, J)

Gautam/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.02.2026
Transmission Date	10.02.2026

