

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17282 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- JAMUI District- Jamui

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1. Anuj Gupta S/o Sh. Rajeev Gupta R/o House No. 602, Sector 6, Panchkula, P.S. - Panchkula, P.S. - Sector 5, Panchkula, District - Panchkula, Haryana
 2. Sanjeev Aggarwal S/o Sh. Vinod Aggarwal R/o House No. 874, P.S. - Sector 7, Panchkula, District - Panchkula, Haryana
 3. Ravi Mann S/o Sh. Bal Raj R/o Prahladpur Bangar, Sector 31, Rohini, New Delhi, P.S. - Shahbad Dairy, Dist. - Delhi - 110042

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar S/o Rameshwar Prasad Singh Director, M/s Universal Agro Corporation Limited, Vill - Simha, P.S. - Matihani, Dist. - Begusarai, registered office at Shashi Palace, Ramkrishan Nagar, Hemra Road, Ward No. 19, Begusarai, Bihar - 851101

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shrishti Singh, Advocate Mr. Pranav Kumar, Advocate Mr. Saurabh Sundar, Advocate
For the Opposite Party/s :		Mr. Harendra Prasad, APP
For the O.P. No.2	:	Mr. Rohit Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 14-05-2026 Heard Ms. Shrishti Singh, learned counsel for the petitioners and Mr. Harendra Prasad, learned Additional Public Prosecutor for the State as well as Mr. Rohit Raj, learned counsel for Opposite Party No.2.

2. This application has been filed for quashing of the FIR bearing Jamui P.S. Case No. 54 of 2024 dated 27.01.2024 registered for the offences against the petitioners under Sections 406, 420, 379 and 411 of the Indian Penal Code.



3. Learned counsels have jointly submitted that the parties have settled their dispute outside the Court without threat, coercion or promise and a settlement agreement has been arrived at between the parties and as per the settlement agreement, they have decided that the parties will move the Hon'ble High Court for quashing of the FIR.

4. Learned counsel for the petitioners has relied upon the judgment **reported in 2014 volume 6 Supreme Court Cases 466** and draws the attention of the Court towards para 29.7 which is quoted hereinbelow:-

“29.7. While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/ investigation. It is because of the reason that at this stage the investigation is still on and even the charge-sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/ material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of



the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come to a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.”

5. In view of settlement between the parties and the offences being compoundable one, in the interest of justice FIR bearing Jamui P.S. Case No. 54 of 2024 dated 27.01.2024, is hereby quashed.

(Praveen Kumar, J)

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