

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28045 of 2018

Arising Out of PS. Case No.-371 Year-2017 Thana- BAKHTIYARPUR District- Patna

1. Arjun Singh Son of Shri Ambika Singh
2. Ambika Prasad Singh, Son of Late Kesho Singh
3. Sonali Singh D/o Shri Ambika Singh
4. Neetu Singh, D/o Shri Ambika Singh
5. Daulat Devi, W/o Shri Ambika Singh
6. Rakesh Kumar Singh, S/o Shri Ram Pravesh Singh
7. Madhu Devi, D/o Shri Ambika Singh
8. Ritesh Singh, S/o Sri Kapildev Singh All are Resident of Mohalla-Chhawani, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mausami Kumari, D/o Sachidanand Singh, Resident of Village-Mahmadpur, P.S.- Bakhtiyarpur, District- Patna.

.. ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyanendra Kumar Singh, Advocate. Ms. Megha Singh, Advocate. Ms. Sadhna Parashar, Advocate.
For the State	:	Mr. Sunil Kumar Pandey, A.P.P.
For the O.P. No.2	:	Mr. Shivanand Singh, Advocate. Mr. Andlib Improse, Advocate. Ms. Amisha Prakash, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

9 02-04-2026 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the opposite party

no.2.

2. The present Cr. Misc. Application has been filed



under Section 482 of Cr.P.C. for quashing the First Information Report bearing Bakhtiyarpur P.S. Case No.371 of 2017 instituted under Sections 341, 323, 504, 506, 498(A)/34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act, 1961 against the petitioners.

3. The facts of the case, in brief, are that O.P. No.2, Mausami Kumari, lodged a written report in Bakhtiyarpur P.S. alleging that she was married to Arjun Singh (petitioner no.1) on 06.05.2013 in accordance with Hindu rites and rituals. At the instance of her marriage with petitioner no.1, father of O.P. No.2 gifted furniture, jewellery, utensils, etc. with cash amounting to Rs. 13,00,000/- and Rs.7,00,000/- in cheque to the in-laws of O.P. No.2. It is further alleged that soon after the marriage, O.P. No.2 was subjected to cruelty by her husband and in-laws, who demanded an additional sum of Rs.2,00,000/-. Upon her refusal, she was allegedly abused and physically assaulted by her in-laws. Subsequently, she was taken to Delhi by her husband, where she continued to face physical and mental cruelty coupled with several restrictions. During this period, O.P. No.2 conceived and was later left at her parental home, where she gave birth to a girl child, with all medical expenses borne by her father. It is further alleged that despite efforts made by her father



to resolve the dispute, the accused persons intensified the harassment including mental and physical torture. It is also alleged that due to unemployment of petitioner no.1, O.P. No.2 attempted to pursue employment by applying for the BETET examination, which led to further harassment. On 14.06.2017, when her father came to take her for the examination, the accused persons allegedly refused and demanded money, compelling her father to lodge a *Sanha* before the police, following which she was brought back to her parental home. On 06.07.2017, her husband and father-in-law, along with others, allegedly visited her parental home, abused and threatened her family. Thereafter, her husband allegedly threatened to solemnize a second marriage. It is also alleged that on 03.09.2017, she received threatening phone calls, giving rise to apprehension of further criminal acts. On the basis of the aforesaid allegations, Bakhtiyarpur P.S. Case No.371 of 2017 was instituted.

4. Learned counsel for petitioners submit that parties have compromised the matter as one time settlement of Rs.15,00,000/- (Rupees Fifteen Lakh) which is to be paid to the O.P. No.2 (informant). Both the parties have also filed petition for divorce with mutual consent and now they have no claim



against each other.

5. Learned counsel for the O.P. No.2 submits that in view of the compromise taken place between the parties, he has no objection to quash the proceedings of F.I.R. bearing Bakhtiyarpur P.S. Case No.371 of 2017 against the petitioners.

6. Learned A.P.P. for the State also submits that in view of the settlement between the parties, no purpose would be served to continue the criminal proceedings and the same may be quashed by this Court.

7. Notably, it is a settled principle of law that although offences under Section 498A of the Indian Penal Code and other allied provisions are non-compoundable, the High Court, in exercise of its inherent powers under Section 482 of the Code of Criminal Procedure, can quash criminal proceedings where the dispute is essentially private in nature and emanates from matrimonial discord, and the parties have arrived at an amicable settlement. The Hon'ble Supreme Court, in The Hon'ble Supreme Court in *B.S. Joshi and Ors. v. State of Haryana and Anr.*, reported in (2003) 4 SCC 675; *Gian Singh v. State of Punjab and Anr.*, reported in (2012) 10 SCC 303; *Narinder Singh and Ors. v. State of Punjab and Anr.*, reported in (2014) 6 SCC 466; and *Parbatbhai Aahir and Ors. v. State of*



Gujarat and Anr., reported in **(2017) 9 SCC 641**, has authoritatively held that in matters predominantly bearing a civil or personal character, particularly matrimonial disputes, such inherent powers may be invoked to secure the ends of justice and to prevent abuse of the process of the Court, provided that the compromise is *bona fide*, voluntary, and without any coercion. Nonetheless, such power must be exercised cautiously, having due regard to the nature, seriousness, and societal impact of the alleged offences.

8. In the recent judgment of the Hon'ble Supreme Court in *Mange Ram v. State of Madhya Pradesh and Anr.*, reported in **2025 SCC OnLine SC 1681** has observed as under:

“29. A three-Judge Bench of this Court in State of M.P. v. Laxmi Narayan, (2019) 5 SCC 688, observed in paragraph 15.5 thereof that while exercising power under Section 482 CrPC to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, it is necessary to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc.

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32. In Naushey Ali v. State of U.P., (2025) 4 SCC 78, one of us (Viswanathan, J.) observed in paragraph 32 that proceeding



with the trial, when the parties have amicably resolved the dispute, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process particularly when the dispute is settled and resolved.”

9. In the present case, considering the submissions of learned counsel for the parties as well as learned A.P.P. for the State and in view of the settlement taken place between the parties, the F.I.R. bearing Bakhtiyarpur P.S. Case No.371 of 2017 is hereby quashed.

10. Accordingly, the present Cr. Misc. Application stands allowed.

(Sunil Dutta Mishra, J)

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