IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2458 of 2023

1. Ranjit Kumar Pandit, aged about 36 years, s/o late Durga Charan Pandit
2. Champa Devi, aged about 48 years, w/o late Durgacharan Pandit
3. Puja Devi, aged about 26 years, w/o Ranjit Kumar Pandit

   All r/o Village-Kanduawatand, Kharni, P.O.-Kharni, P.S.-Barwadda, Dist.-Dhanbad
4. Sabita Devi, aged about 34 years, s/o Sanjay Pandit
5. Sanjay Pandit @ Sanjay Kumar, aged about 42 years, s/o Haripad Kumhar

   Sl. No. 4 and 5 are r/o Village-Lakarka, P.O. & P.S.-Katras, Dist.-Dhanbad

.... Petitioners

Versus

1. The State of Jharkhand
2. Sneha Pandit, w/o Sri Sanjay Kumar Pandit, d/o Shibu Kumar, r/o Village-Netwari, P.O.-Ojhadih, Katania, P.S.-Tundi, Dist.-Dhanbad

…. Opp. Parties

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

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For the Petitioners : Mr. Shailesh Kr. Singh, Advocate
: Mr. Abhijeet Kr. Singh, Advocate
For the State : Mr. Arup Kr. Dey, Addl. P.P.
For O.P. No.2 : Mr. Prakhar Kr. Vishain, Advocate
: Ms. Arpita Sinha, Advocate

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By the Court:-

1. Heard the parties.

2. This criminal miscellaneous petition has been filed invoking the jurisdiction of this Court under Section 482 of Cr.P.C. with the prayer to quash the entire criminal

proceeding arising out of C.P. Case No. 1955 of 2021 as well as the order dated 14.03.2022 passed by the learned Judicial Magistrate 1st Class, Dhanbad whereby and where under, the learned Judicial Magistrate 1st Class, Dhanbad found sufficient material to proceed against the petitioners for having committed the offence punishable under Sections 498A/34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that the case is next fixed to 01.10.2026 for appearance of the accused persons and charge has not yet been framed in this case.

4. Learned counsel for the petitioners and learned counsel for the opposite party No.2 jointly draw the attention of this Court towards Interlocutory Application No.13634 of 2026 which is supported by the separate affidavits of petitioner no.5 for himself as well as the petitioner nos. 1 to 4 and the complainant-opposite party No.2 of this case and submit that therein it has categorically been mentioned that on account of intervention of common friends and well-wishers, the parties have settled their dispute amicably once and for all. It is further jointly submitted by the learned counsel for the petitioners and the learned counsel for the opposite party no.2 that memorandum of settled has been arrived

at between the parties, a copy of which has been annexed with this interlocutory application. It is next jointly submitted by the learned counsel for the petitioners and the learned counsel for the opposite party no.2 that the dispute between the parties is matrimonial dispute and no public policy is involved in this case. It is further jointly submitted by the learned counsel for the petitioners and the learned counsel for the opposite party no.2 that in view of the compromise between the parties, the continuation of this criminal proceeding will amount to abuse of process of law as in view of the compromise, the chance of conviction of the petitioners is remote and bleak. Hence, it is submitted that the prayer as made in this criminal miscellaneous petition be allowed.

5. Learned Addl. P.P. submits that the State has no serious objection to the prayer as made in this criminal miscellaneous petition, in view of the compromise between the parties.

6. Having heard the submissions made at the Bar and after going through the materials in the record, it is pertinent to mention here that the Hon'ble Supreme Court of India in the case of **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Others vs. State of Gujarat and Another** reported in **(2017) 9 SCC 641** had the occasion to consider the jurisdiction of the High Court

under Section 482 of Code of Criminal Procedure *inter alia* on the basis of compromise between the parties and has held in paragraph no.11 as under :-

> *"11. Section 482 is prefaced with an overriding provision. The statute saves the inherent power of the High Court, as a superior court, to make such orders as are necessary (i) to prevent an abuse of the process of any court; or (ii) otherwise to secure the ends of justice. In Gian Singh [Gian Singh v. State of Punjab, (2012) 10 SCC 303 : (2012) 4 SCC (Civ) 1188 : (2013) 1 SCC (Cri) 160 : (2012) 2 SCC (L&S) 988] a Bench of three learned Judges of this Court adverted to the body of precedent on the subject and laid down guiding principles which the High Court should consider in determining as to whether to quash an FIR or complaint in the exercise of the inherent jurisdiction. The considerations which must weigh with the High Court are : (SCC pp. 342-43, para 61)*
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> > *"61. … the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of*

> *Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding." (Emphasis supplied)*

7. Perusal of the record reveals that the offences involved in this case are neither heinous offence nor is there any serious offence of mental depravity involved in this case. The institution of the criminal case is a result of matrimonial dispute between the parties which has amicably been settled between the parties. In view of the

final settlement between the parties; the continuation of this criminal proceeding will cause hardship to the petitioners.

8. Considering the aforesaid facts, this Court is of the considered view that this is a fit case where the entire criminal proceeding arising out of C.P. Case No. 1955 of 2021 as well as the order dated 14.03.2022 passed by the learned Judicial Magistrate 1st Class, Dhanbad be quashed and set aside *qua* the petitioners.

9. Accordingly, the entire criminal proceeding arising out of C.P. Case No. 1955 of 2021 as well as the order dated 14.03.2022 passed by the learned Judicial Magistrate 1st Class, Dhanbad is quashed and set aside *qua* the petitioners.

10. In the result, this criminal miscellaneous petition is allowed.

11. Consequently, the interlocutory application no.13634 of 2026 is disposed of.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 24th September, 2026
AFR/Gunjan/-

Uploaded on 25/09/2026