IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2598 of 2026

1. Prince Yadav @ Prince Kumar, aged about 19 years, son of Manoj Yadav, resident of House No. 167, Zone No.-1B, Birsanagar, Near Andhra Samiti, Hullung, P.O. & P.S.-Birsanagar, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004
2. Akash Yadav @ Akash Kumar, aged about 20 years, son of Ram Lakhan Yadav, resident of H. No.-11, Road No. 2, Zone No.B, Birsanagar, Hullung, P.O. & P.S.-Birsanagar, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004
3. Rahul Kumar, aged about 20 years, son of Ajay Kumar Sharma, resident of 318, Birsanagar Zone No. -1B, Hullung, Birsanagar, P.O. & P.S.-Birsanagar, Golmuri, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004
4. Sujal Tiwari @ Sujal Kumar Tiwari, aged about 21 years, son of Makardhwaj Tiwari, resident of H. No. 646, Zone No. -1B, Hullung, Birsanagar, Near Jhanda Chowk, P.O. & P.S.-Birsanagar, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004
5. Ayush Yadav, aged about 16 years, represented through his father & natural guardian Manoj Kumar @ Manoj Yadav, resident of H. No.-167, Zone No. -1B, Hullung, Birsanagar, P.O. & P.S.-Birsanagar, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004

.... Petitioners

Versus

1. The State of Jharkhand
2. Satyam Prasad Bhagat, aged about 18 years, son of Vidyasagar Prasad Bhagat, resident of H. No.-59, Zone No.-5, Near Situ Tank, Birsanagar, Hullung, P.O. & P.S.-Birsanagar, Town-Jamshedpur, Dist.-East Singhbhum, Jharkhand-831004

…. Opp. Parties

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

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For the Petitioners : Mr. Girish Mohan Singh, Advocate
For the State : Mr. Shailesh Kr. Sinha, Addl. P.P.
For O.P. No.2 : Mr. Abhinay Kumar, Advocate
: Mr. Rishi Ranjan Vats, 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 528 of B.N.S.S., 2023 with the prayer to quash the entire criminal proceeding including the FIR and order dated 25.04.2026 passed by the learned Judicial Magistrate 1st Class, Jamshedpur as also the Chage Sheet No. 22 of 2026 dated 23.04.2026 all in connection with Telco P.S. Case No. 24 of 2026, corresponding to G.R. No. 999 of 2026.

3. It is jointly submitted by the learned counsel for the petitioners and the learned counsel for the opposite party no.2 by drawing attention of this Court to the Interlocutory Application No.13852 of 2026 which is supported by separate affidavits of the father of the petitioner no.1, the *pairvikar* of all the petitioners as also the petitioner nos.1 to 4 and the victim-opposite party no. 2 submits that therein it has categorically been mentioned that for the self-same occurrence, there was case and counter case and during course of investigation, both the parties have compromised the matter. It is then 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 has been settled and otherwise also, there was free fight between the parties and no party had any intention to kill anyone hence, the offence punishable under Section 109 of the B.N.S., 2023 is not made out. It is next jointly submitted by the learned counsel for the petitioners and the learned counsel for the opposite party no.2 that in view of the full and final settlement between the petitioners and the opposite party no.2, the opposite party no.2 is not desirous of proceeding with the case and the chance of the conviction of the petitioners is remote and bleak. Therefore, continuation of the criminal proceeding will amount to abuse of the process of the law. Hence, it is submitted that the prayer as made in this criminal miscellaneous petition be allowed.

4. 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.

5. Having heard the submissions made at the Bar and after going through the materials available in the record, it is pertinent to mention here that the Hon'ble Supreme court of India in the case of ***Narinder Singh and Others vs.***

State of Punjab & Another reported in **(*2014) 6 SCC 466*,** in paragraph 29, has 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 Cr.P.C. while accepting the settlement and quashing the proceedings which, reads as under:

> "**29.** *In view of the aforesaid discussion, we sum up and lay down the following 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 Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:*
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> ***29.1.*** *Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.*
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> ***29.2.*** *When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:*
>
> *(i) ends of justice, or*
>
> *(ii) to prevent abuse of the process of any court.*
>
> *While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.*
>
> ***29.3.*** *Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.*
>
> ***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.

29.5. *While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.*

29.6. *Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship.*

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." (Emphasis supplied)*

6. Now coming to the facts of the case, because of some misunderstanding, this case has been instituted. In the facts of the case, the offence punishable under Section 109 of the B.N.S., 2023 is not made out. It is needless to mention here that in view of compromise between the parties, the possibility of conviction of the petitioners is remote and bleak and continuation of the case would put the accused-petitioners to oppression and prejudice and extreme injustice would be caused by not quashing this criminal case. Hence, continuation of the criminal proceeding will amount to abuse of the process of law and in the interest of the justice, the entire criminal proceeding including the FIR and order dated 25.04.2026 passed by the learned Judicial Magistrate 1st Class, Jamshedpur as also the Chage Sheet No. 22 of 2026 dated 23.04.2026 all in connection with Telco P.S. Case No. 24 of 2026,

corresponding to G.R. No. 999 of 2026 be quashed *qua* the petitioners only.

7. Accordingly, the entire criminal proceeding including the FIR and order dated 25.04.2026 passed by the learned Judicial Magistrate 1st Class, Jamshedpur as also the Chage Sheet No. 22 of 2026 dated 23.04.2026 all in connection with Telco P.S. Case No. 24 of 2026, corresponding to G.R. No. 999 of 2026, is quashed and set aside *qua* the petitioners only.

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

9. Consequently, the interlocutory application no.13852 of 2026 is disposed of.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 8th October, 2026
AFR/Gunjan/-

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