

(2026) 01 MP CK 0040

Madhya Pradesh High Court

Case No: Writ Petition No. 43155 Of 2025

Santosh Kumar Patel

APPELLANT

Vs

State Of Madhya Pradesh And
Others

RESPONDENT

Date of Decision: Jan. 13, 2026

Acts Referred:

- Constitution Of India, 1950-Article 226
- Bharatiya Nyaya Sanhita, 2023-Section 115(2), 183
- Juvenile Justice (Care And Protection Of Children) Act, 2015-Section 75
- Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989-Section 3(1)(r), 3(2)(va)
- Code Of Criminal Procedure, 1973-Section 164

Hon'ble Judges: Himanshu Joshi, J

Bench: Single Bench

Advocate: Santosh Kumar Patel Vs State Of Madhya Pradesh And Others

Final Decision: Allowed/Disposed Of

Judgement

Himanshu Joshi, J

1. The petitioner has filed present petition under Article 226 of the Constitution of India seeking quashment of FIR No.0554/2025, dated 13.10.2025, registered at Police Station Ram Nagar, District Maihar (M.P.) for alleged offences under Section 115(2) of the Bharatiya Nyaya Sanhita, 2023, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and Sections 3(1)(r) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The brief facts of the case are that an FIR was lodged on 13.10.2025 against the petitioner alleging that he assaulted the victim and her friend Pallavi Pate in the school premises. The said FIR is patently false, frivolous| and has been lodged with

malicious intention.

3. Feeling aggrieved by lodging of FIR, this petition is filed requesting quashment of FIR and all consequential proceedings thereof on following grounds :-

i) No offence as alleged is made out.

ii) The FIR is clearly a misuse of process of law.

iii) The complainant has settled the matter with the accused.

4. During pendency of this petition, both the parties have settled their disputes and, therefore, they were directed to appear before the Registrar (J-II) for verifying the genuineness and authenticity of the compromise.

5. This Court vide order dated 17.12.2025 had directed the parties to appear before the Registrar (J-II) of this Court for recording their statements and for verification of factum of compromise. The Registrar (J-II) has submitted his report on 17.12.2025 and verified the factum of compromise.

6. Learned counsel for the petitioner and respondent No.2 contend that since the parties have amicably settled their dispute, therefore continuation of proceedings relating to alleged FIR would be useless and abuse of process of law. The complainant does not wish to pursue the prosecution against the petitioner/accused. They wish to accord a quietus to all the disputes between the families and proceed with the life.

7. Per-contra, learned counsel for the State opposed this petition and referring the statement of the complainant recorded under section 164 of Cr.P.C/183 of BNS submits that in view of direct allegations, the FIR should not be quashed.

8. Heard both the parties and perused the record.

9. In the cases of Jagdish Channa & Others Vs. State of Haryana & another [AIR 2008 SC 1968], Madan Mohan Abbot Vs. State of Punjab [AIR 2008 SC 1969]; Shiji Vs. Radhika & Another [(2011) 10 SCC 705,]; Kapil Gupta Vs. State of NCT of Delhi [2022 SCC Online SC 1030]; Ananda D.V. Vs. State and another [2021 SCC Online SC 3423] and Narinder Singh & Others Vs. State of Punjab [(2014) 6 SCC 466], the Hon'ble Supreme Court has laid down that even in non-compoundable cases on the basis of compromise, criminal proceedings can be quashed so that valuable time of the Court can be saved and utilized in other material cases.

10. As per prosecution case, date of incident was 13.10.2025 and FIR was lodged on the same day i.e. on 13.10.2025 at Crime No.554/2025 of Police Station Ram Nagar, District Maihar for offences under Section 115(2) of the Bharatiya Nyaya Sanhita, 2023, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Sections 3(1)(r) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Right now, the compromise has been taken place

between the petitioner and father of complainant, which is duly verified by the concerned Registrar on 17. 12.2025.

11. After hearing rival contentions and taking into account the law laid down by the Apex Court, in the opinion of this Court, continuance of the prosecution in this matter will be a futile exercise which will serve no purpose. In view of amicable settlement, possibility of conviction is bleak.

12. In the obtaining facts and circumstances of the case, the present petition under Article 226 of the Constitution of India can be justifiably invoked to prevent abuse of the process of law and wasteful exercise by the Courts below.

13. Consequently, this Court allows the present petition filed under Section 226 of the Constitution of India and directs that FIR No.0554/2025 dated 13. 10.2025, registered at Police Station Ramnagar, District Maihar (M.P.) for alleged offences under Section 115(2) of the Bharatiya Nyaya Sanhita, 2023, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and Sections 3(1)(r) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is hereby quashed with all consequential proceedings thereto.

14. In view of the aforesaid, the present is allowed and **disposed of**.