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MCRC-46747-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 15th OF OCTOBER, 2026MISC. CRIMINAL CASE No. 46747 of 2026

CNR No.: MPHC010701822026

*NALIN MISHRA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Manan Agrawal - Advocate for the petitioner.**Shri Sumit Raghuvanshi - G.A. for the respondents / State.**Shri Shubham Mishra - Advocate for the respondent.*
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ORDER

The present petition under Section 528 of BNSS has been filed for quashing of FIR at Crime No.433/2024 registered at Police Station - Morwa, Distt. Singrauli under Sections 498-A, 323, 506 IPC.

2. The present petition has been filed at the instance of husband for quashing the FIR filed by wife.

3. This petition is the second petition and the order of the first petition for quashing has duly been disclosed by counsel for the applicant. It has been disclosed that earlier M.Cr.C No. 31185 of 2024 was filed for quashing the FIR and the said petition has been dismissed on merits by Coordinate Bench of this Court vide order dated 27.07.2026. However, it is contended that in the aforesaid petition, the factum of the parties to the marriage having



reached to a compromise and decree of divorce by compromise having already taken place could not be brought to the notice of this Court. Since now there is a compromise decree, therefore, it would be in the fitness of things that the FIR under Section 498A which remains pending be also put to an end in view of the fact that the parties have already got divorced in terms of compromise decree under section 13-B of Hindu Marriage Act ,1955.

4. The counsel for the respondent-wife has entered appearance and has categorically stated that the respondent No.2-wife has no objection if the FIR is quashed as the matter has been compromised between the parties and the marriage has already ended in divorce by consent under Section 13-B of Hindu Marriage Act.

5. This Court has gone through the compromise decree passed by the Family Court, Rai Bareli (UP) in Matrimonial Case No.506 of 2025 thereby the parties have entered into compromise and in terms of the said compromise, the decree of divorce has been granted by the Family Court on 15.05.2025.

6. As per condition No.(c) of the compromise decree of divorce, the following has been provided:-

(c) याची संख्या-1 सभी मुकदमों, शिकायतों व न्यायिक कार्यवाहियों, जो कि उसने याची संख्या-2 के विरुद्ध दायर कर रखी हैं, को वापस लेने पर सहमत है।

7. It has been brought on record that permanent alimony was settled between the parties which has already been paid to the respondent-wife in terms of the divorce decree passed on the basis of compromise between the parties.

8. The case is a matrimonial dispute basically under Section 498-A



IPC and compromise between the parties has duly been brought on record and it has been so recorded even by the Family Court, Rai Bareli while granting a decree of divorce by mutual consent in which there is a categorical assertion that all the complaints and mutual judicial proceedings which have been instituted by the wife against the husband shall be withdrawn by the wife.

9. As the marriage has already come to an end and the parties to the marriage have already happily parted as friends, therefore, further continuation of criminal proceedings would not be in the interest of justice and would in fact be counterproductive to the interest of justice.

10. In view of the aforesaid and in view of the compromise arrived at between the parties which has been recorded in the divorce decree issued by mutual consent, this Court is of the considered opinion that the FIR at Crime No. 433/2024 registered at police station Morwa, District Singrauli be quashed, alongwith all consequential proceedings emanating from the said FIR be also quashed. The petition therefore stands **allowed and disposed off**.

(VIVEK JAIN)
JUDGE

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