HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 3986/2020

1. Kiran W/o Shri Mohanlal, Aged About 44 Years, resident of Meghwalo Ka Bass, Bavri, P.s. Kherapa, Jodhpur Rural, Presently R/o At 16-B, First Polo Paota, P.s. Mahamandir, Jodhpur East.
2. Mohanlal S/o Shri Daula Ram, Aged About 49 Years, resident of Meghwalo Ka Bass, Bavri, P.s. Kherapa, Jodhpur Rural, Presently R/o At 16-B, First Polo Paota, P.s. Mahamandir, Jodhpur East.
3. Madhav S/o Shri Kesha Ram, Aged About 33 Years, resident of Meghwalo Ka Bass, Bavri, P.s. Kherapa, Jodhpur Rural, Presently R/o At 16-B, First Polo Paota, P.s. Mahamandir, Jodhpur East.

----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. Sushree Charu Khatri D/o Shri Dhiraj Khatri, Aged About 35 Years, resident of 16-B, First Polo Paota, P.s. Mahamandir, Jodhpur East.

----Respondents

For Petitioner(s)	:	Mr. Kunal Bishnoi, through video-call.
For Respondent(s)	:	Ms. Rajlaxmi Singh Choudhary, P.P. Mr. Vikram Singh, through video-call.

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Judgment / Order

07/12/2020

The instant Criminal Misc. Petition under Section 482 Cr.P.c. has been filed by the petitioners for quashing of F.I.R. No.537/2020, registered at Police Station Mahamandir, and all consequential proceedings for offences under Sections 323, 354, 509 IPC on the basis of compromise.

Counsel for the petitioners submits that the matter has already been compromised between the parties and it is borne out from the compromise that respondent No.2-complainant is not

inclined to proceed further in the matter. Counsel has placed reliance on a decision of Supreme Court in the case of ***Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303].*** In these circumstances, the impugned FIR and all consequential proceedings may be quashed on the basis of compromise.

Counsel for the respondent No.2-complainant concurs the fact of compromise and submits that in view of the compromise, the respondent No.2-complainant does not want to proceed further in the matter.

In this regard, a compromise deed has been submitted by the parties and the same is hereby taken on record.

In view of compromise arrived at between the parties and applying the ratio in decision of ***Gian Singh (Supra)***, I deem it just and proper to invoke inherent powers of this Court under Section 482 Cr.P.C.

Accordingly, the present misc. petition is allowed and the F.I.R. No.537/2020, registered at Police Station Mahamandir, and all consequential proceedings for offences under Sections 323, 354, 509 IPC against the petitioners are hereby quashed on the basis of compromise deed.

Stay petition is also decided accordingly.

(MANOJ KUMAR GARG),J

62-/-Prashant