

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P.No.1459 of 2020**

Bhaskar Shriwas @ Raja Shriwas, S/o Ramkrishna Shriwas, aged about 26 years, R/o 27 Kholi Vikas Nagar, Bilaspur, P.S. Civil Line, Dist. Bilaspur (CG)

----- **Petitioner**

Versus

- 1.State of C.G. Through P.S. Civil Line, Dist. Bilaspur (CG)
- 2.Rahul Bajpai S/o Madan Mohan Bajpai, aged about 28 years, R/o Kududand Near Panchmukhi Hanuman Mandir P.S. Civil Line, Dist. Bilaspur (CG)
- 3.Hari Mangal Gautam S/o Late Dharam Prakash Gautam, aged about 27 years, R/o Kududand near Panchmukhi Hanuman Mandir P.S. Civil Line Dist. Bilaspur (CG)

----- **Respondents**

For Petitioner Mr.Rajendra Kumar Patel, Advocate
For Respondent No.1/State:

Mr.Ravi Bhagat, Dy.G.A.

For Respondents No.2 and 3:

Mr.Dharmesh Baghel, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/02/2021

1. The petitioner seeks quashment of Criminal Case No.8010/2013 pending before the Special Railway Magistrate, Bilaspur for offences under Sections 324 of the IPC on the basis of FIR lodged by respondents No.2 and 3.
2. After issuance of notice, the petitioner and respondents No.2 and 3/complainants are examined themselves before the Additional Registrar (J.), in

which they have clearly stated that they have compromised the matter and settled their dispute amicably and on that basis, offences under Sections 294, 323 and 506 of the IPC have been compounded by learned Special Railway Magistrate, Bilaspur, however, offence under Section 324 of the IPC even being not compoundable with the leave of the Court, this petition under Section 482 of the CrPC has been filed.

3. Learned counsel appearing for the parties would submit that the dispute has been resolved between the petitioner and the complainants and there is no dispute subsisting between them at present and as such, the trial for offence under Section 324 of the IPC be quashed as other offences have already been compounded by learned Special Railway Magistrate, Bilaspur by order dated 26.11.2020.

4. I have heard learned counsel for the parties.

5. Since the offences under Sections 294, 506 and 323 of the IPC have already been compounded being compoundable offences by learned Special Railway Magistrate, Bilaspur, but offence under Section 324 of the IPC being non-compoundable, it has not been compounded.

6. Considering the statement of the parties made before the Additional Registrar (J.) and before this Court

during the course of argument and since the dispute has been settled between the parties and the offence is said to have been committed on 12.10.2012, it would not be expedient to continue the prosecution of the petitioner for offence under Section 324 of the IPC in view of the fact that the dispute has been resolved between the parties and the complainants are not willing to prosecute the case.

7. Accordingly, the trial for offence under Section 324 of the IPC pending before the Special Railway Magistrate, Bilaspur in Criminal Case No.8010/2013 is hereby quashed and the petitioner is acquitted of the said charge.

8. The petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K.Agrawal)
Judge

B/-