IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 9047 of 2016

BETWEEN:-

1. **SHUBHAM GOLIYA S/O SHRI HARSWAROOP GOLIYA, AGED ABOUT 23 YEARS, OCCUPATION: BUSINESS 3/6, STAFF QUARTER, SGSITS COLLEGE, INDORE (MADHYA PRADESH)**

2. **SHASHANK GOLIA S/O SHRI HARSWAROOP GOLIYA, AGED ABOUT 25 YEARS, OCCUPATION: BUSINESS 3/6, STAFF QUARTER , SGSITS COLLEGE, INDORE (MADHYA PRADESH)**

3. **HITESH JAISWAL S/O SHRI SUBHASH CHANDRA JAISWAL, AGED ABOUT 31 YEARS, OCCUPATION: BUSINESS 857-D, RAJIV AWAS VIHAR INDORE (MADHYA PRADESH)**

.....PETITIONERS

(BY SHRI KHILADI LAL GANGORE - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THRU. P.S. TUKOGANJ, INDORE (MADHYA PRADESH)**

2. **ANKUSH S/O SHRI PAWAN PANCHOLIA JAIN OCCUPATION: BUSINESS 127, ANURAG NAGAR INDORE (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI ANENDRA SINGH PARIHAR - PANEL LAWYER)

This petition coming on for order this day, the court passed the following:

ORDER

This petition under Section 482 of the Code of Criminal Procedure has

Signature Not Verified
Signed by: JYOTI CHOURASIA
Signing time: 03-Feb-24 2:30:41 PM

been preferred by the petitioners against the order dated 30.08.2016 passed by the Judicial Magistrate First Class, Indore allowing an application under Section 156(3) of the Code, 1973 filed by respondent No.2 and directing for registration of FIR against them.

2. During pendency of this petition, petitioners as well as respondent No.2 have entered into a compromise and have jointly filed an application bearing I.A. No.10280 of 2022 for recording of compromise between them. On the said application, parties were directed to appear before the Principal Registrar of this Court on 16.02.2023. The parties appeared before the Principal Registrar as directed and stated that they have entered into the compromise voluntarily, without any threat, inducement and coercion and they have resolved their dispute with mutual consent. The Principal Registrar of this Court by order dated 16.02.2023 has also verified the factum of the compromise.

3. The present proceedings arise out of a private complaint filed by respondent No.2 under Section 156(3) of the Code, 1973. During pendency the petitioner and respondent No.2 have entered into a compromise and it is apparent that they have resolved all their dispute pending between them. The offences alleged against the petitioner were primarily related to the action of respondent No.2. In view of the compromise between the parties, the dispute between them which was personal in nature has been put to an end.

4. Thus, in view of the aforesaid, I am of the opinion that the compromise entered into between the parties vide I.A. No.10280 of 2022 deserves to be and is accordingly accepted.

5. As a consequence the petition is also allowed and the order dated 30.08.2016 passed by the Court below directing for registration of FIR against the petitioners for offences punishable under Sections 420, 467, 468, 470,

Signature Not Verified
Signed by: JYOTI CHOURASIA
Signing time: 03-Feb-24 2:30:41 PM

471/34 of the IPC is set aside.

(PRANAY VERMA)
JUDGE

jyoti

Signature Not Verified
Signed by: JYOTI CHOURASIA
Signing time: 03-Feb-24 2:30:41 PM