
(2021) 12 RAJ CK 0050

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous (Petition) No. 2824 Of 2021

Chandrakant And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 17-12-2021

Acts Referred:

Indian Penal Code, 1860 — Section 323, 376, 406, 498A, 504, 511
Code Of Criminal Procedure, 1973 — Section 482

Citation : (2021) 12 RAJ CK 0050

Hon'ble Judges : Vinit Kumar Mathur, J

Bench : Single Bench

Advocate : Chakravarti Singh Rathore, S.K. Bhati, Jagdish Singh

Final Decision : Allowed

Judgement

Vinit Kumar Mathur, J

The present misc. petition has been filed for quashing the FIR No.54/2021 registered at Police Station Bagra, District Jalore for the offence under Sections 498-A, 323, 406, 376/511 & 504 IPC.

Heard learned counsel for the parties.

Learned counsel for the petitioners submits that the parties have compromised the matter. The compromise deed is placed on record.

The fact of compromise is not disputed by learned counsel for respondent No. 2.

Learned Public Prosecutor as per the factual report submits that although the FIR was registered under Section 498-A, 323, 406, 376/511 & 504 IPC, however, the police is proposing to file charge-sheet only under Section 498-A, 406, 323 IPC.

The factual report is taken on record.

Learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in the case of Gian Singh vs. State of Punjab, (2012) 10 SCC

303, State of M.P. V/s Laxmi Narayan & Ors. [AIR 2019 SC 1296] & Ram Gopal and Ors. Vs. State of Madhya Pradesh (Criminal Appeal No. 1489 and 1488 of 2012 decided on 29.09.2021) and prays that the FIR may be quashed.

In view of the aforementioned compromise arrived at between the parties and considering the fact that the compromise is not disputed by learned counsel for the respondent as also applying the law laid down in Gian Singh vs. State of Punjab (Supra), State of M.P. V/s Laxmi Narayan & Ors. (Supra) & Ram Gopal and Ors. Vs. State of Madhya Pradesh (Supra) this Court deems it just and proper to invoke inherent powers under Section 482 Cr.P.C.

Accordingly, the present misc. petition is allowed and the impugned FIR No. 54/2021 registered at Police Station Bagra, District Jalore for the offence under Sections 498-A, 323, 406, 376/511 & 504 IPC is quashed.