

**(2021) 02 RAJ CK 0034**

**In the Rajasthan High Court**

**Case No :** Criminal Miscellaneous (Petition) No. 2203 Of 2019

Dharmendra Singh

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

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**Date of Decision :** 17-02-2021

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 120B, 201, 420, 467, 468, 471

**Citation :** (2021) 02 RAJ CK 0034

**Hon'ble Judges :** Mahendar Kumar Goyal, J

**Bench :** Single Bench

**Advocate :** D.K. Dixit, F.R. Meena, Mahander Meena

**Final Decision :** Allowed

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## **Judgement**

This criminal miscellaneous petition under Section 482 Cr.P.C. has been filed for quashing the criminal proceeding in the criminal case No.870/2017,

State Vs. Kailash Kumar & Ors. pending in the Court of learned Additional Chief Judicial Magistrate, Gangapur City, District Sawai Madhopur arising

out of FIR No.45/2015 dated 21.03.2015 registered at Police Station Bamanwas, District Sawai Madhopur for offence under Sections 201, 420, 467,

468, 471 & 120-B of I.P.C.

Learned counsel for the petitioner submitted that the FIR in question arises out of private dispute between the parties predominantly of civil nature. He

submitted that the learned trial Court has vide order dated 26.06.2018, quashed the proceeding qua Section 420 IPC being compoundable; but, declined

to quash the proceedings qua Sections 467, 468, 471, 201 & 120-B being non-compoundable. Relying on the judgment of the Hon'ble Supreme Court in

Gian Singh versus State of Punjab & Anr. reported in JT 2012 (9) SC-426 &

Narinder Singh & Ors. versus State of Punjab & Anr. reported in 2014

Cr.L.R. (SC)

351., he submitted that the proceeding under Sections 467, 468, 471, 201 & 120-B be also quashed.

Learned Public Prosecutor has opposed the criminal miscellaneous petition.

Learned counsel appearing for the complainant acknowledging the factum of compromise between the parties, submitted that he has no objection if

the criminal proceeding arising out of FIR in question is quashed.

Heard learned counsels for the parties and perused the record.

From the material on record, it is apparent that the dispute, private and predominantly of civil nature, has amicably been settled between the parties

and the learned trial Court vide its order dated 26.06.2018 quashed the proceeding qua Section 420 IPC on the basis of compromise. In view of

compromise between the parties and the law laid down by the Hon'ble Supreme Court in case of Gian Singh (supra) & Narinder Singh (supra), this

Court deems it just and proper to quash the criminal proceeding pending against the petitioner.

Resultantly, this criminal miscellaneous petition is allowed. The criminal proceeding in the criminal case No.870/2017, State Vs. Kailash Kumar &

Ors. pending in the Court of learned Additional Chief Judicial Magistrate, Gangapur City, District Sawai Madhopur arising out of FIR No.45/2015

dated 21.03.2015 registered at Police Station Bamanwas, District Sawai Madhopur for offence under Section 467, 468, 471, 201 & 120-B is quashed.