

(2021) 02 RAJ CK 0026

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 1199 Of 2021

Farukh @ Sonu And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 17-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 143, 323, 341, 365, 504

Scheduled Castes and Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(1)(r), 3(1)(s), 3(2)(va)

Citation : (2021) 02 RAJ CK 0026

Hon'ble Judges : Mahendar Kumar Goyal, J

Bench : Single Bench

Advocate : Ali Mohammed Khan, F.R. Meena, Sanjay Gangwar

Final Decision : Allowed

Judgement

This criminal miscellaneous petition under Section 482 Cr.P.C. has been filed for quashing the FIR No.196/2020 dated 03.10.2020 registered at Police

Station Bapcha, District Baran for offence under Sections 143, 341, 323, 365 & 504 of I.P.C. and Sections 3(1)(r), 3(1)(s) & 3(2)(va) of Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended 2015).

Learned counsel for the petitioner submitted that the FIR in question arises out of minor dispute between the parties who are acquainted with each

other since long and does not involve any heinous offence. Relying on the affidavit of the complainant dated 05.02.2021, he submitted that since the

matter has amicably been settled between the parties, the FIR in question is liable to be quashed in view of the judgments of the Hon'ble Apex Court

of India in cases of 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.

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 FIR in question is quashed.

Heard the learned counsels for the parties and perused the record.

A perusal of the material on record shows that the dispute between the parties has amicably been settled by them on the basis of compromise. In view

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

this Court deems it just and proper to allow this criminal miscellaneous petition.

Resultantly, this criminal miscellaneous petition is allowed. The FIR No.196/2020 dated 03.10.2020 registered at Police Station Bapcha, District Baran

for offence under Sections 143, 341, 323, 365 & 504 of I.P.C. and Sections 3(1) (r), 3(1)(s) & 3(2)(va) of Scheduled Castes and Scheduled Tribes

(Prevention of Atrocities) Act, 1989 (Amended 2015) is quashed.