

(2023) 04 RAJ CK 0022

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 1204 Of 2023

Fateh Singh And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 10-04-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 147, 159, 332, 353

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(s)(r), 3(2)(va)

Citation : (2023) 04 RAJ CK 0022

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Pradeep Shah, S.K. Mehar, Pushkar Tamini

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The instant criminal misc. petition under Section 482 Cr.P.C. has been filed by the petitioners for quashing of FIR No.527/2021 registered at Police Station Bhim, District Rajsamand and all consequential proceedings for offences under Sections 147, 332, 353 read with 159 of IPC and Sections 3(1)(s)(r) and 3(2)(va) of SC/ST Act on the basis of compromise entered between the parties.

Counsel for the petitioners submits that the matter has already been compromised between the parties and it is borne out from the compromise that respondent No.2-complainant is not inclined to proceed further in the matter. Counsel has placed reliance on a decision of Supreme Court in the case of Gian Singh Vs. State of Punjab & Anr. [(2012) 10 SCC 303]. In these circumstances, the impugned FIR and all consequential proceedings may be quashed on the basis of compromise.

Counsel for the respondent No.2 (complainant) concurs the fact of compromise

and submits that in view of the compromise, the respondent No.2 (complainant) does not want to proceed further in the matter.

In view of compromise arrived at between the parties and applying the ratio in decision of Gian Singh (Supra), I deem it just and proper to invoke inherent powers of this Court under Section 482 Cr.P.C.

Accordingly, the present misc. petition is allowed and the FIR No.527/2021 registered at Police Station Bhim, District Rajsamand and all consequential proceedings for offences under Sections 147, 332, 353 read with 159 of IPC and Sections 3(1)(s)(r) and 3(2) (va) of SC/ST Act lodged against the petitioner are hereby quashed on the basis of compromise deed.

Stay application also decided.