
(2024) 05 RAJ CK 0133

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 3232 Of 2024

Ganpat Singh

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 20-05-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 363

Citation : (2024) 05 RAJ CK 0133

Hon'ble Judges : Kuldeep Mathur, J

Bench : Single Bench

Advocate : Vikram Singh Jaitawat, Vikram Sharma, Jitendra Singh

Final Decision : Allowed

Judgement

Kuldeep Mathur, J

The instant criminal misc. petition under Section 482 Cr.P.c. has been filed by the petitioner seeking quashing of the entire proceedings of Criminal Regular Case No.417/2022 pending before the court of learned Additional Chief Judicial Magistrate, Devgarh, Rajsamand.

Learned counsel for the petitioner submitted that the parties settled their disputes and have arrived at a compromise. The said compromise was submitted before the learned court below by filing an application, however, the learned court below denied to compound the offence punishable under Section 363 IPC.

Learned counsel for the petitioner has placed reliance on the decision of Hon'ble the Supreme Court in the cases of Gian Singh Vs. State of Punjab & Anr. reported in (2012)10 SCC 303]. He therefore prayed that the impugned criminal proceedings pending against the petitioner may kindly be quashed.

Learned counsel for the complainant concurs the factum of compromise and submits that in view of the compromise, the complainant is not inclined to

proceed further in the matter.

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

Accordingly, the instant misc. petition is allowed. The entire proceedings of Criminal Regular Case No.417/2022 pending before the court of learned Additional Chief Judicial Magistrate, Devgarh, Rajsamand, are hereby quashed qua the present petitioner.