

(2021) 02 RAJ CK 0135
In the Rajasthan High Court
Case No : Criminal Misc(Pet.) No. 1187 2021

Kailash Kumar And Ors

APPELLANT

Vs

State And Ors

RESPONDENT

Date of Decision : 23-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 379

Citation : (2021) 02 RAJ CK 0135

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Sikander Khan, Mahipal Bishnoi, Om Rajpurohit, Shubham Choudhary

Final Decision : Allowed

Judgement

The instant criminal misc. petition under Section 482 Cr.P.c. has been filed by the petitioners for quashing of FIR No.33/2021 registered at Police

Station Chopasni Housing Board, Distt. Jodhpur for offence under Section 379 of IPC on the basis of compromise.

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 FIR lodged by the respondent No.2- complainant against

the petitioners may be quashed.

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.33/2021 registered at Police Station Chopasni Housing Board, Distt. Jodhpur for

offence under Section 379 of IPC lodged against the petitioners are hereby quashed on the basis of compromise deed.

Stay petition is also decided.