

(2021) 02 RAJ CK 0152

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 3172 Of 2020

Mathura

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 341, 363, 511

Citation : (2021) 02 RAJ CK 0152

Hon'ble Judges : Mahendar Kumar Goyal, J

Bench : Single Bench

Advocate : Padam Singh Gurjar, Prashant SharmaAnil Kumar Gurjar

Final Decision : Dismissed

Judgement

This criminal miscellaneous petition under Section 482 Cr.P.C. has been filed for quashing the criminal proceeding in criminal case No.22/2A/2007,

Mathura Vs. Raja Ram and Ors. pending in the Court of learned Judicial Magistrate No.3, Alwar for offence under Sections 323, 341 & 363 read

with Section 511 I.P.C.

Learned counsel for the petitioner submitted that the criminal proceeding arises out of dispute between the parties who are family members and does

not involve any heinous offence. Relying on the judgments of the Hon'ble Supreme Court 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, he submitted that the

proceeding under Sections 323, 341 & 363 read with Section 511 I.P.C. be 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. A perusal of the material on record shows that the dispute between the parties not involving any heinous offence has amicably been settled by them. 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 quash the criminal proceeding pending against the petitioner.

Resultantly, this criminal miscellaneous petition is allowed. The criminal proceeding in criminal case No.22/2A/2007, Mathura Vs. Raja Ram & Ors.

pending in the Court of learned Judicial Magistrate No.3, Alwar for offence under Sections 323, 341 & 363 read with Section 511 I.P.C. is quashed.