

(2023) 09 RAJ CK 0092

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 135 Of 2022

Prithvi Singh

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 29-09-2023

Acts Referred:

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

Citation : (2023) 09 RAJ CK 0092

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Prithvi Singh, Sonu Kanwar, Anita Gehlot, Vikram Singh

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The instant criminal misc. petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of FIR No.478/2021 registered at Police Station Bilara, Distt. Jodhpur as well as all consequential proceedings for offence under Section 363 of IPC on the basis of compromise.

Petitioner Prithvi Singh alongwith Sonu Kanwar, both are present in the Court today itself and submit their Adhar Card and state that the matter has already been compromised between the parties and it is borne out from the compromise that respondent No.2 is not inclined to proceed further in the matter. It has placed reliance on a decision of the Hon'ble 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.

Respondent No.2-Vikram Singh present in person and submit his Adhar Card and concurs the fact of compromise and submits that in view of the compromise, he

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.478/2021 registered at Police Station Bilara, Distt. Jodhpur as well as all consequential proceedings for offences under Section 363 of IPC lodged against the petitioner is hereby quashed on the basis of compromise deed qua the petitioner only.

Stay petition is also decided.